# The American Ecclesiastical Review

Vol. CXIV, No. 3 March, 1946

CONTENTS

The Annunciation . . . . *James A. Kleist, S.J.* 161

Seminarians and the G. I. Bill of Rights *William E. McManus* 170

What are the "Apocrypha"? . . *Hugh Pope, O.P.* 176

Cardinal Newman is Easy Reading *Daniel M. O'Connell, S.J.* 188

Elizabeth's Catholic Composer . . . *William J. Kerrigan* 197

The Catholic Center for Jews . . *Edward L. Watt* 202

Grievance. Part IV. . . . *Thomas Owen Martin* 209

ANSWERS TO QUESTIONS

Correspondence between Mass and Office . . . . 225

A Thanksgiving Procession at the Forty Hours . . . 225

The Tone of the Preface on Holy Thursday . . . . 226

*Contents Continued on Next Page*

Published monthly by The Catholic University of America Press, Washington 17, D. C. Subscription price, currency: United States, $4.00; Canada, $4.50; Foreign, $5.00. 40 cents per copy.

Entered as second class matter, November 30, 1944, at the Post Office at Washington, D. C., under the Act of March 3, 1879. Accepted for mailing at the special rate of postage provided for under Act of March 5, 1930, under Act of February 28, 1925.

Business communications, including subscriptions and changes of address, should be addressed to The American Ecclesiastical Review, The Catholic University of America Press, Washington 17, D. C

Please address all manuscripts and editorial correspondence to The Editor, The American Ecclesiastical Review, Box 20A, The Catholic University of America, Washington 17, D. C.

Copyright 1945, by The Catholic University of America Press

*Contents Continued from Previous Page*

Can a Debt be Outlawed? . . . . . 227

Nitroglycerin Tablets and the Eucharistic Fast . . . 228

Plurality of Benefices? . . . . . 228

Is the Indulgence Gained? . . . . . 229

BOOK REVIEWS

The Idea of a Catholic College, *by John Julian Ryan* . . 230

Philosophy for the Layman, *by Aegidius Doolan, O.P.* . . 232

The Nature and Treatment of Mental Disorders, *by Thomas V. Moore, O.S.B.* 233

We Offer Thee, *by John P. Delaney, S.J.* . . . . 235

The Making of Europe, *by Christopher Dawson* . . . 236

Ourselves, Inc.; The Story of Consumer Free Enterprise, *by Leo Ward, C.S.C.* 237

BOOK NOTES . . . . . 239

## A *Valuable* Compendium for Every Priest

*"Instructions* of the Sacred Congregation of the Sacraments on the Rules to be Followed by the Pastor in Making the Canonical Inquiries before He Permits the *Marriage Couple* to Enter *Matrimony."*

A complete and detailed exposition of Canon 1020 together with Appendix Giving Questionnaires of the Instructions.

***Fifteen cents per copy***

**The Catholic University of America Press**

**620 Michigan Avenue, N. E.**

**Washington 17, D. C.**

## THE ANNUNCIATION

The Annunciation is an intriguing subject of inquiry, both because of its importance to Mary and Christianity, and because of its challenging presentation by St. Luke.

The usual translation of the angel's address to Mary, in *Luke* 1:28, whether in the old Latin form, "Ave, gratia plena," or in the time-honored Douay version, "Hail, full of grace," commands our respect. Its correctness is beyond cavil. In the New Testament the Greek word χάρις, of which Κεχαριτωμένη is evidently a derivative, occasionally means that inward condition which makes a soul pleasing to God. Theologians call it *gratia gratum faciens.* If Christians as a class are correctly styled "saints," who will deny that privilege to one who was presently to become the Mother of God? And since her position as Mother of God transcends every other human dignity (except, of course, that of Christ's humanity), her personal sanctity could not but be extraordinary and, in a sense, unique. The somewhat startling rendering, *gratia plena,* is easy to account for if we consider the feeling of reverence with which the early Christians must have looked upon Mary, even apart from the fact that the perfect participle passive called for vigor of expression. Κεχαριτωμένη, then, means "full of grace, which you have received" (Plummer); "once for all endowed with ample grace; firmly settled in grace; having received a very special grace." I need not stop to vindicate this "fullness of grace" against the unwarranted conception that it derogates from the fullness of grace in Christ; for, in the New Testament, the concept of "fullness" is a variable quantity. See, for instance, *Luke* 1:15; 1:41; 1:67.

But the question arises: is "full of grace" the only possible rendering of Κεχαριτωμένη in its present setting? Are we compelled to translate the root word of the participle, χάρις, by "grace" as we ordinarily understand that term? There are about a dozen passages in the New Testament in which χάρις denotes what theologians call *gratia gratis data.* In *II Cor.* 9:8 St. Paul says: "God has the power to supply you abundantly with every kind of blessing (πᾶσαν χάριν), so that, with all your needs well supplied at all times, you may have something to spare for every work of mercy" (Knox). The χάρις, or blessing, here referred to is *the possession of ample*

*material goods,* freely bestowed by God upon the Corinthians as a means of generous almsgiving. A still more striking illustration is *Rom.* 12:6: "The spiritual gifts we have (χαρίσματα) are different, according to the special *grace* (κατὰ τὴν χάριν) which has been *assigned* to each of us." Then follows this explanation: if a man is a prophet, let him prophesy; if an administrator, administrate; if a teacher, teach; if a preacher, preach. It follows, then, that χάρις, as here employed, is a task, duty, service, office, work, charge, commission, assignment, ministration, imposed by God's favor for the accomplishment of some special mission; a favor, in other words, or privilege, granted by God.[1]

Let us now apply this sense of χάρις to explain the meaning of Κεχαριτωμένη in the angel's address to Mary. It makes little difference whether we take the word as the vocative case or as an independent clause with "you are" omitted. The angel, therefore, announces to Mary that, just as God selects one man for the office of a teacher, another for that of a prophet, so He has, in His eternal decree, selected her for *the singular office* of becoming the Mother of God. Divine motherhood—that is the task or office assigned by God to Mary, that the burden she is invited to undertake in the scheme of the Redemption.[2] On purely linguistic grounds, the possibility of χάρις having this special sense here cannot be disproved. I do not, of course, say that Mary at this stage of the interview grasped the full sense of the word. The idea of "grace" was all she could gather from the words of the angel. What this word was in Aramaic is beside the question; we are dealing with Luke's authentic interpretation. All that Mary heard while the angel spoke was that she stood high in the "grace" of God. Whether she thought of it as "sanctifying grace" or as a "grace of office" need not be discussed, though for my own part I prefer to think that in her humility she disclaimed that "fullness of grace" attributed

[1] Similarly our bishops are wont to open their Pastoral Letters with the phrase: "I, *N.N.*, by the *grace* of God and the *favor* of the Apostolic See, Bishop of the Diocese of *N.N.*" Note, also, St. Paul's use of χάρις in *Rom.* 1:5: "We have received the *grace of apostleship* (χάριν καὶ ἀποστολήν)."

[2] In appraising the sanctity of St. Joseph, St. Bernardine seems to use the Latin word *gratia* in the same sense when he says: "Quandocunque divina gratia eligit aliquem ad aliquam *gratiam* singularem seu ad aliquem sublimen statum, omnia charismata donat" (*Sermo de Sancto Joseph;* cf. the second nocturn for the Solemnity of St. Joseph).

to her in the Hail Mary. But be this as it may, the word used next by the angel seems to elucidate that vague and doubtful word: "The Lord is with you"; for, to anyone acquainted with the language of the Old Testament, this expression was generally a promise of divine help: "The Lord is your Helper." God, then, promised to be Mary's Helper—in the discharge of the work she was invited to undertake. But even so the precise nature of this work was still doubtful; and so the angel proceeds to throw further light upon it by the addition of a sentence found in many codices: "Blessed are you beyond all women." It was clear, by now, that Mary's womanhood would be called into play in the proposed undertaking. Did it, perhaps, at this point dawn upon her that she was expected to become a mother? Among the Jews, at any rate, motherhood was the crown of womanhood. Even so, however, the full import of the angel's message was not yet revealed to Mary.

It was time, then, for the heavenly messenger to come to the point. First, however, he pauses a while, both to study the effect his words had thus far produced on Mary, and to give her time to show her reaction. Mary "was troubled," in fact, "shaken to her inmost soul (διεταράχθη) at the speech, and she puzzled to know, or debated with herself, what this manner of greeting could possibly mean." We need not pause to analyze Mary's feelings at this point. No doubt, her humility, wrestling with her joy, shrank from acquiescing in the laudatory words the angel had used in referring to her. We also know that she was "afraid," for, although she had God's help promised her, she may have wondered whether she would, eventually, co-operate with God's help sufficiently to carry the undertaking to a successful issue.

Her musings were now interrupted by the angel. "Do not tremble, Mary," he said to her; "you have found favor in the sight of God. Just think: you are to become a mother, and to bear a Son, and to call Him Jesus," and then he went on in glowing terms borrowed from the Prophets to describe the greatness of her Son: "He will be great: His title will be Son of the Most High, and the Lord God will give Him the throne of His father David, and He will be King over the house of Jacob, and to His kingship there will be no end." We should now assume that the grace of God was working in Mary's mind while the angel's words fell on her ears. If God saw fit to make use of the extraordinary means of sending an angel for the purpose of instructing her, it is easy to take for

granted that His grace enlightened her mind so that she might grasp the full significance of the message. From what he said about her Son, she must have inferred that He was to be the Messias.[3] Her mind was working rapidly and, under the special inspiration of the Holy Spirit, infallibly. We are, therefore, anxious to know how she reacted to the angel's announcement. And here we are again face to face with a *crux interpretum*.

The usual translation of verse 1:34 is: "How shall this be, since I know not man?" If these words are taken literally, Mary wished to be informed by the angel what she, in her circumstances of life, was expected to do to realize God's design. There seemed to be one great obstacle in its way, her virginity. There can be no doubt that she was resolved to remain a virgin. Whether she had merely contemplated, or, by the special grace of God, promised virginity even in her married life we are not told. And since, so many expositors argue, she could not know that, if she became the mother of the Messias, her virginity would remain intact, she very prudently asked the angel for information. This sounds reasonable. And yet, there are grave doubts as to the correctness of this generally accepted explanation. Her speech to the angel, if read in the Greek of St. Luke, need not have been a question at all. There are numerous passages in the New Testament, and indeed in Greek literature, in which the form of a question disguises an exclamation. When Elizabeth said: "*How* is it that the mother of my Lord should come to me?" she did not wait for an answer telling her *just how* it had happened. She simply meant to say: "How wonderful that the mother of my Lord should come to me! How privileged I am to have a visit from the mother of my Lord!" When Christ complained of the callousness of His disciples, "*How long* must I be with you!" He did not wait to be told *how long* it would have to be. Such questions are exclamations, or rhetorical questions, which call for no answer.

Let us apply this principle of interpretation to Mary's words: "Can this ever be! How can this be! How wonderful it will be—since I remain a virgin!" To understand this expression of won-

[3] Knabenbauer says: "Manifestum apparet eum esse regem Messiam." Dausch: "Maria soll Mutter des Messias werden." Plummer: "[The description] breathes the spirit of the Messianic hope before it had received the rude and crushing blow in the rejection of the Messiah" (Gore, *Dissertations*).

der, we must again have recourse to God's enlightening grace. Mary was resolved to remain a virgin, and felt that her promise made to God was pleasing to Him. Consequently, the moment the angel said that she was to become a mother, it is reasonable to suppose that the Holy Spirit recalled her mind to an ancient prophesy: "A *virgin* shall be *pregnant* and bear a son." It is true that the Jews did not believe that the Messias was to be born of a virgin. But *we* know that this prophecy of Isaias, coupled with others made by the same prophet, *did* refer to the Messias and His mother.[4] Is it not, then, imperative to take for granted that Mary knew as much, right then and there when this prophecy was on the eve of its fulfillment—a prophecy which illuminated the angel's message at the very moment when she needed light and guidance? I think, therefore, that Mary, far from seeing in her virginity an obstacle to her motherhood, saw in it actually the first step toward its complete realization. Just because she was a virgin, she might, by the grace of God, become the mother of the Messias: and that sudden perception wrung from her childlike soul an exclamation of glad surprise: "How wonderful this will be—since I remain a virgin! How wonderful it will be if the jewel of virginity is added to the crown of my proposed motherhood!" This, surely, was reason enough to justify a jubilant exclamation.

The rest of the angel's exposition is now clear. He "explained" to her that her Son would not only be the Messias, but actually the Son of God.[5] "The Holy Spirit will come upon you, and the power of the Most High will overshadow you, and for that reason the Child to be born will be acclaimed Holy and Son of God." Here, then, an astonishing miracle is announced, in addition to the virginal birth of the Messias; but Mary need not waver in her faith. "Note, moreover," the angel continued reassuringly, "that your relative Elizabeth, too, in spite of her age, has conceived a son and is now in her sixth month—she who used to be called the barren! For, as far as depends on God, nothing at all is impossible."

Reverently watching the scene of the Annunciation from a dis-

[4] Cf. Knabenbauer-Zorell's *Commentarius in Isaiam Prophetam* (Paris: Lethielleux, 1922), pp. 183 ff.

[5] Dausch: "Nach der Gegenrede (v. 34) erhebt sich die messianische Offenbarung zur vollen Höhe der werklichen Gottessohnschaft." Plummer: "Very early the Christian Church chose it as a concise statement of the divine nature of Christ."

tance through the eyes of St. Luke, and waiting with bated breath for Mary's final answer, we are delighted to hear her say: "Consider me the humble servant of the Lord. May all you have said be fulfilled in me!" It was, under the circumstances, the only reply Mary could reasonably make, and we are glad that she actually made it.

This interpretation of the Annunciation is, on the whole, new. Years ago, however, the eminent French exegete Père Lagrange, after giving the various opinions held by Catholic and Protestant scholars on verse 1:34, concludes with just one quiet observation: "D'ailleurs *on peut douter* que Marie demande formellement une explication; ses paroles sont peut-être une exclamation du surprise" ("For the rest, *one may doubt* that Mary formally demanded an explanation; her words are perhaps an exclamation of surprise"). Whether, or to what extent, this clue was taken up by later writers, I am unable to say. I remember, however, reading the statement in some German treatise that Mary must have been acquainted with the prophecy of Isaias, and that she did not ask the angel for further enlightenment. I am happy to add that Louis Soubigou, in his *Sous le Charme de L' Evangile selon Saint Luc* (p. 53), is of the same opinion, though he does not explain *how* she came to see in the prophecy of Isaias a Messianic reference, when the Jews generally failed to do so.

So far as I can see, the interpretation just given deserves serious attention. For one thing, it does no violence to the Greek original; for another, it proceeds by easy, natural steps, as from dawn to daylight, from Mary's unsuspecting state of mind to the clarity of a vision; finally, it raises the angel's visit to a new dignity. Here we have something worthy both of Heaven's messenger and of his august listener. Coming on the threshold of the New Dispensation, the angel's address to Mary sounds like a protevangel of her position in the Church. Κεχαριτωμένη, as here explained, implies that Mary was to become God's instrument in redeeming the world; and, viewed in this light, all her glorious attributes and privileges are a mere matter of course. Her "fullness of grace" flows from her dignity; for, if she was to co-operate with God, through her free consent, in saving the world, it was natural that she should be the first beneficiary of the fruits of Christ's redemptive grace, in anticipation of His death upon the cross. This is, in fact, the ontological order in Mariology: first comes the grace of her selection

as Mother of God; then follow her spiritual endowments, as, for example, the Immaculate Conception. With this right order in view, the noted French orientalist, Père Joüon, is willing to admit that the current version "full of grace" is legitimate, though a little free ("quoique un peu libre, est légitime"), the reason for this being that Mary's "fullness of grace" follows "naturellement" from her dignity which is expressed in Κεχαριτωμένη, "objet de la faveur[6] divine."

The translation of χαῖρε calls at least for a word of explanation. It is indifferent whether we consider this the ordinary greeting in use among Greek-speaking peoples at the time, or Luke's rendering of the common Aramaic expression, "Peace be to you." Goodspeed renders "Good morning," led, no doubt, by the fact that χαῖρε was the favorite greeting in the morning, as also Liddell and Scott indicate, and by the further fact that the angel had appeared to Zachary during the morning sacrifice. There is no lack of English equivalents, although it is difficult to choose without falling into banalities. Some modern forms of greeting would be "How do you do?" or "I greet you" or "Greetings." For myself, I incline to take χαῖρε as the imperative "Rejoice" or "Congratulations" or "I have good news for you." The angel is evidently at pains to put Mary in a joyful mood at the outset.

I am aware that, in adopting this interpretation, it is needful to take a number of assumptions into the bargain. I assume, for instance, that Mary was not a dolt or puppet, ready to say "Yes" to any proposals, whether she understood the momentous character of her decision or not. I assume also that her mind was clear and, by special lights vouchsafed to her, raised to an unusual degree of sensitiveness at that turning point of her life. I assume that she was not the statuesque figure familiar to us from artistic representations of the Annunciation. She was I am sure a lively Jewish young woman, ready to give free expression to her childlike feelings. I assume, most of all, that God did not leave her in ignorance on the nature of the part she was to play in the drama of the Redemption. Did not her office impose upon her innumerable responsibilities as well as personal sacrifices? Do we not learn that "she was puzzled to know what this form of greeting should mean"? Can we suppose that the angel told her nothing that would clarify

[6] The Protestant translation, "Hail, thou that art highly *favored*," comes nearer to my interpretation than "full of *grace*."

the situation? Are we sure that nothing else was said during that interview than what St. Luke has seen fit to record? Are not the Gospels fragmentary reports? Elizabeth, enlightened by the Holy Spirit, *knew* that the Child conceived by Mary was the Son of God ("the mother of my Lord"), and Mary herself did not know it? If Mary did not come to realize that she was to be the mother of the Messias and the Mother of God, the whole Annunciation is almost turned into a farce; for, in that supposition, her consent was given blindfold. Not by the message of the angel, sent for that very purpose, but in some accidental way (and who knows when and where) she was to find out the divine nature of her Son! Her consent in that case was an *actus hominis*, and not an *actus humanus*.[7]

The subjoined translation of verses 26 to 38 may now round out this paper.

In the course of the sixth month, the angel Gabriel came, with a message from God, to a town in Galilee, called Nazareth. He was to speak to a maiden espoused to a man named Joseph, a descendant of David. The name of the maiden was Mary. On coming into her presence, he said: "Rejoice! You have received a very special grace! The Lord is your Helper! [You are the most blessed woman on earth!]" But she was profoundly stirred by the address, and debated with herself what this manner of greeting might mean. So the angel said to her: "Do not tremble, Mary; for you have found favor in the eyes of God. Just think: you are to become a mother, and to bear a Son, and to call Him Jesus. How great He will be! 'Son of the Most High' will be His title, and the Lord God will give Him the throne of His father David, and King over the house of Jacob will He be forevermore, and to His kingship there will be no end!" Mary then said to the angel: "How wonderful this will be—since I remain a virgin!"

In explanation the angel said to her: "The Holy Spirit will come upon you, and the power of the Most High will overshadow you, and for that reason the Child to be born will be acclaimed 'Holy' and 'Son of God.' Note, moreover, that your relative Elizabeth, too, in spite of her age, has conceived a son and is now in her sixth month—she

---

[7] It is utterly inconceivable to me how a writer in *The Month* (Sept.-Oct. 1944) could revive, and make his own, the view once held by Venerable Bede that Mary did not, at the Annunciation, know that Jesus was divine. The writer's exegesis of *Luke* 1:50 is wholly inadequate. (Cf., for instance, Knabenbauer *in loc.*)

who used to be called the barren! For, so far as God's power is concerned, nothing at all is impossible." Then Mary said: "Consider me the humble servant of the Lord. May all you have said be fulfilled in me!" And with that, the angel left her.

JAMES A. KLEIST, S.J.

*St. Louis University,*
*St. Louis, Mo.*

---

### FIFTY YEARS AGO

In the March, 1896, issue of *The American Ecclesiastical Review,* Bishop Maes, of Covington, begins a series of articles on "The Education of our Clerical Students." In this initial article he describes the zeal of the Church, as manifested by the decree of Trent, to procure worthy candidates for the priesthood and to provide the proper type of seminaries for their training. . . . Fr. W. Stang (later Bishop of Fall River) lays down some practical rules for the guidance of preachers, such as: "Never speak against civil or spiritual authority; never speak on subjects the knowledge of which came to you solely through the confessional." . . . Continuing his articles on "The Union of the Churches," Fr. Brandi, S.J., refutes the arguments of the Orthdox Patriarch of Constantinople in his attacks on Catholic doctrine and practices. . . . Fr. Bruneau, S.S., writing on "Biblical Inspiration," discusses the various views then current on the extent of divine influence on the choice of words by the sacred writers. . . . In a reply to a moral question it is asserted that when a pregnant woman and her child are sure to die in the effort of birth, the child may be removed while it is still non-viable, so that it may be baptized and the mother's life may be spared. (Such a view would not be held by any moralist today. The act thus described would be the direct killing of the fetus, unjustifiable even if the mother's life were thereby saved and the child given an opportunity of receiving Baptism. A good end does not justify a bad means.)

F. J. C.

---

### MISSION INTENTION

"The Missions which have suffered most from the War" is the Mission Intention for the month of March, 1946.

## SEMINARIANS AND THE G. I. BILL OF RIGHTS

Although the Selective Service Law granted deferment to theological students, a few young men who discovered their vocation while serving in the Armed Forces will probably seek admission to both minor and major seminaries after their discharge from the service. These applicants are entitled to the educational benefits provided under Public Law 346 (as amended), known as the G. I. Bill of Rights. Because the administrative practices in seminaries are somewhat different from those in the standard college or university, the applications of seminarians according to the terms of the law will provoke problems calling for a careful and prudent solution by seminary authorities. This article may serve as a guide to pastors and seminary officials who wish to counsel prospective seminarians seeking advice about their veterans' benefits.

### ELIGIBILITY

To qualify for the educational benefits the veteran:

(1) Must be released or discharged under conditions other than dishonorable.

(2) Must have served ninety days or more, exclusive of any period he was assigned for a course of education or training in the Army Specialized Training Program or the Navy College Training Program, which course was a continuation of his civilian course and was pursued to completion, or the time he was assigned to one of the service academies.

### PERIOD OF ENTITLEMENT

Any eligible seminarian is entitled to:

(1) A period of instruction covering one full calendar year beginning with the opening day of school.

(2) An *additional* period of instruction, *if* the course of study during the first year is completed satisfactorily according to the regularly prescribed standards and practices of the seminary. The additional period is to be the equivalent of the amount of time spent in service, exclusive of any period of specialized training as defined above. The total period of entitlement may not exceed four calendar years.

### TIME LIMITS

The veteran must resume his education within four years after the date of his discharge or the termination of the present war, whichever is the later. No educational benefits will be granted beyond nine years after the official termination of the war.

### ELIGIBLE INSTITUTIONS

The law directs that the Administrator of the Veterans' Administration shall secure from the appropriate agency of each state a list of the educational and training institutions which are qualified and equipped to furnish suitable education for veterans. Before any payments may be made, either to a seminarian or to the seminary, the name of the seminary must appear on the state list of approved schools. To qualify as a suitable institution for the education of a veteran, a seminary need *not* be officially accredited by the state education authorities. Should the state agency refuse to put the seminary on its approved list, an appeal may be made directly to the Veterans' Administration which is authorized to approve schools in addition to those certified by the state.

### PAYMENTS TO THE VETERAN

The seminarian is to be paid $65 a month, or $90 a month if he has dependents, during the full calendar period of his entitlement, provided that during such period he is actively engaged in his school work. The seminarian may be paid for regular holidays and for a thirty-day leave.

The term "dependent" means a person recognized as such in the provisions for allotments to the dependents of military personnel.

### PAYMENTS TO THE SEMINARY

The Veterans' Administration will pay the established cost of tuition and such laboratory, library, health, infirmary and other fees as are customarily charged to students. Likewise, the Veterans' Administration will pay the seminary (not the seminarian) for books, supplies and equipment directly connected with the course of study pursued. The amount paid for any one student may not exceed $500 for an ordinary school year, which is defined as a period of instruction not less than thirty nor more than thirty-

eight weeks in total length. Payment may be made for every ordinary school year and portion thereof completed within the period of entitlement. No claim may be made by the seminary for the veteran's board, lodging or travel expenses.

### THE ESTABLISHED TUITION FEE

Because many seminaries do not have a fixed charge for tuition alone, they may have trouble determining what rate should be charged to the Veterans' Administration. Others which do not charge any tuition at all will face a similar situation. The official regulations of the Veterans' Administration covering such cases are as follows:

(1) The seminary may break down its charges so as to separate tuition from other expenses. Then it may claim the same tuition fee as is customarily charged the regular students or their sponsors.

(2) If the tuition is less than $60 a semester, or if there is no tuition fee, the seminary may claim $60 a semester for each student. If this plan is adopted, notification of it must be given to the Veterans' Administration.

(3) When either the established tuition fee or the $60 fee are claimed by the seminary to be inadequate to cover instructional costs, the manager of the Veterans' Administration, after full investigation of the seminary's claim, may authorize a special contract proposal which will provide adequate compensation for the instructional costs entailed in the education of a veteran.

Method (3) would probably be advantageous to most seminaries since their tuition rates rarely cover the expenses of instruction.

### SCHOLARSHIPS DEDUCTIBLE

The official regulation making certain scholarship grants deductible from the institution's claim is as follows: "Awards—fellowships, scholarships, grants-in-aid, assistantships, etc.—which constitute a waiver of tuition are to be applied to the payment of tuition and will reduce the amount of tuition for which the Veterans' Administration will be responsible. Awards which are made specifically for the purpose of defraying the cost of room and board and dormitories will be disregarded."

### INTERRUPTION OF TRAINING

This point is best explained by an example. A seminarian with three years military service would normally have the maximum entitlement, four calendar years. Therefore, for each of forty-eight months he would be entitled to $65 sustenance pay. The seminary could claim tuition for as many ordinary school years as could be completed over a period of forty-eight months with or without interruption. Thus, if a seminarian interrupts his education for a three-month vacation every year he may complete five and one-third scholastic years (of nine months each) during his four-year entitlement period. This would be the most practical plan for seminarians who, however, must be warned that they should *not* claim any sustenance payments during the summer vacation. Any month for which they accept sustenance pay is charged against their entitlement.

### THE DISMISSAL OF VETERAN-SEMINARIANS

The law directs that a veteran may not change his course of study or move from one school to another without permission of the Veterans' Administration. Therefore, if a veteran wishes to quit the seminary after discovering that he has no vocation to the priesthood, he may not leave until he has first proved to the Veterans' Administration that he has good reason for requesting the change. Transfer to another school without the authorization of the Veterans' Administration would deprive the veteran of any further educational benefits under the law.

A regulation of the Veterans' Administration interpreting the "satisfactory progress" required of all students states that unsatisfactory progress will be found to exist when the veterans is expelled from the institution. This would mean, therefore, that the seminary authorities would deprive a seminarian of any further benefits under the law if they dismised him for a serious infraction of the seminary rules.

### PAYMENTS NOT DEDUCTIBLE

An amendment recently adopted has repealed the section of the law calling for a deduction of all educational payments from a

future bonus, should there be one. It was this feature of the law which made seminary authorities somewhat reluctant to levy a claim against the veteran's possible bonus when little tuition or no tuition at all was charged to other seminarians. As it is now, seminary authorities are entitled to accept full compensation for the instruction of veterans without fear of any charge of discrimination from the veteran who later on chooses to leave the seminary.

### PROCEDURE

Applications for recognition as an approved school for the education of veterans should be addressed to the manager of the regional office of the Veterans' Administration within whose jurisdiction the seminary is located. An informal letter will suffice to open negotiations for a contract to settle questions of qualification, records, and rates of compensation. The seminarian should file his application for G. I. benefits on Form 1950 to which a photostatic copy of his discharge papers should be attached. If his credentials are in order, he will receive a certificate of eligibility which is to be presented to the seminary authorities.

### ADVISABILITY

Apart from a few technical difficulties, the acceptance of seminarians under the G. I. Bill has proved successful in the seminaries which have received them. In many cases seminarians use their sustenance pay for personal expenses and for assistance to parents who may need financial aid. Seminary authorities report that the Veterans' Administration is co-operative in keeping the paper work to the minimum necessary for efficiency.

In my opinion, seminary authorities who accept the G. I. tuition payments will help establish a favorable precedent in Church-government relationships which will prove on the basis of well documented cases that it is the policy of the Federal Government to make its educational subsidies available to all qualified schools regardless of their religious affiliations. At the same time, it will be a practical measure for calling the attention of seminary authorities to their responsibility to take a special interest in veterans whose aspirations to the religious life were curtailed by the war.

SUMMARY

(1) Be sure that the seminary is on the state list of approved schools.

(2) Establish a fixed charge for tuition and fees exclusively.

(3) Arrange for a contract to cover the actual cost of instruction.

(4) Instead of expelling a veteran, arrange for a change in his course of study.

WILLIAM E. MCMANUS

*National Catholic Welfare Conference,*
*Washington, D. C.*

---

THE MASS

"I could attend Masses for ever and not be tired. It is not a mere form of words,—it is a great action, the greatest action that can be on earth. It is, not the invocation merely, but, if I dare use the word, the evocation of the Eternal. He becomes present on the altar in flesh and blood, before whom angels bow and devils tremble. This is that awful event which is the scope, and is the interpretation, of every part of the solemnity. Words are necessary, but as means, not as ends; they are not mere addresses to the throne of grace, they are instruments of what is far higher, of consecration, of sacrifice. . . . So we, all around, each in his place, look out for the great Advent, 'waiting for the moving of the water.' Each in his place, with his own heart, with his own wants, with his own thoughts, with his own intention, with his own prayers, separate but concordant, watching what is going on, watching its progress, uniting in its consummation;—not painfully and hopelessly following a hard form of prayer from beginning to end, but, like a concert of musical instruments, each different, but concurring in a sweet harmony, we take our part with God's priest, supporting him, yet guided by him. There are little children there, and old men, and simple labourers, and students in seminaries, priests preparing for Mass, priests making their thanksgiving; there are innocent maidens, and there are penitent sinners; but out of these many minds rises one eucharistic hymn, and the great Action is the measure and scope of it."

—Cardinal Newman, in *Loss and Gain* (London: Longmans, Green and Co., 1896), pp. 327 ff.

## WHAT ARE THE "APOCRYPHA"?

Catholics are sometimes puzzled when they hear their non-Catholic friends speaking of the "Apocrypha." If they question them they discover that they understand by that term the Books of Wisdom, Ecclesiasticus, Tobias, Judith, Baruch, First and Second Machabees and portions of Esther and Daniel. If further questioned, their friends should be able to say that at the Reformation the churches which separated from Rome and followed the lead of Luther and others decided that the above Books were not of equal authority with the rest since they are not to be found in the Hebrew Bible, but only in the Greek version; hence Catholic scholars call them "Deuterocanonical" or Books to be found only in the second or Greek list of canonical Scriptures. Strangely enough, Coverdale, in his version of 1535, calls these Books "Hagiographa" or "Sacred Writings"—an absolute misnomer, for that title belongs to the third section of the Hebrew Bible, *viz.*, the Sapiential Books, Job, Psalms, etc.

This application by the Reformers of the term "Apocrypha" to our Deuterocanonical Books, besides being quite unjustifiable, has led to confusion of mind, since many fail to realise that there exist a vast number of writings which are correctly known as "Apocrypha," though as we shall see, a better term would be "pseudepigrapha." The word "apocryphal" means "hidden" and does not in the least imply that such writings are therefore undesirable, though as a matter of fact they are "undesirable" in the sense that they have no claim to a place among the canonical—and therefore inspired—Books of the Bible.

The notion that there were such apocryphal or "hidden" writings presupposes that, in addition to published Revelation, many things had been handed down secretly, esoteric information for the elect. Thus there are references to "sealed" Books in *Isaias* 8:16, 29:11; *Dan.* 8:26, 12:9. The "hidden" writings with which we are dealing treated of the future of Israel and the Messianic hope, aspirations which, intensified by the triumph of the Machabees over their Seleucidan persecutors, were rendered nugatory by the failure of the later Machabean rulers to fulfill expectations. This failure led to the emergence of the Pharisees or "separatists" with their emphasis on adherence to the letter of the Law, and over against them,

of the Sadducees with their materialistic outlook and consequent support of the national dynasty. Most conspicuous in their ascetic life were the Essenes, the "Assideans" of *I Mach.* 2:42, 7:13.

As already remarked, really apocryphal writings should, more correctly, be called "pseudepigrapha" since, in order to secure their acceptance and circulation, they were published under the names of famous Biblical characters. Reaffirming "national" hopes, as they did, they had a great vogue, whether as portending a great future for the Jewish nation or as proclaiming the glories of the future Messias. Christians, too, seeing the fulfillment of such predictions in the person of Christ, and eager to emphasize their prophetical character, inserted in these writings details taken from the life of Christ. Hence St. Paul's repeated condemnations of the craving for such esoteric knowledge.[1] "These writings," says Origen, "seem to speak too openly concerning the life of the Blessed Hereafter."[2] Yet despite their legendary character the Apocrypha do contain historical statements often of great value; they also afford us an insight into the ethical and religious notions current at the time they were composed. Hence scholars have been at pains to discover so far as possible at what dates these Books were first in circulation.

The attitude of the Fathers to the Apocryphal writings is often misunderstood. Many of these they condemned emphatically, St. Jerome speaking of them as "deliramenta"[3] and as the source of heretical notions. He blames Jovinian, for instance, for basing his heterodox views *"in reconditis prophetiis quae vocantur 'apocrypha'."*[4] Origen, too, insists that, among other writings, *the Testament of the Twelve Patriarchs*[5] and the *Doctrina Petri*[6] are "not in the Canon." But the Fathers had at the same time to face the fact that the New Testament writers certainly did quote some apocryphal writings. St. Jude's reference to the dispute between St. Michael and the devil (*Jude,* 9) is a case in point; so, too, St. Paul's use of the non-Scriptural passage: "Rise thou that sleepest,

[1] *I Cor.* 2:7-10; *Col.* 2:8, 16-18; *I Tim.* 6:20; *Tit.* 1:14; 3:9.

[2] *On Matthew,* 17.

[3] *Adv. Helvidium,* 8.

[4] *Adv. Jovinianum.*

[5] *Hom. on Josue,* 15, 6.

[6] *De principiis,* Preface, 8.

and arise from the dead: and Christ shall enlighten thee" (*Eph.* 5:14). "This," says Origen, "these writers did under Divine inspiration." St. Jerome reminds us that the New Testament writers did not necessarily approve of the works from which they took citations. St. Augustine is characteristically cautious:

> Let us dismiss the fables contained in those books known as "Apocrypha" since their origin was not clear to the Fathers . . . and though there may be some truth enshrined in those books, yet they have no canonical authority owing to their large admixture of error. We cannot, for instance, question that Enoch wrote of some divine truths, for the Apostle Jude says so in his canonical Epistle. Yet quite reasonably it is not in that list (*canone*) of the Scriptures preserved in the Temple by the careful diligence of successive generations of priests; indeed the high antiquity assigned to these writings as well as the prevailing uncertainty as to whether they really represent what Enoch wrote, render them suspect.[7]

Further, some apocryphal works were so widely read that the Fathers felt bound to speak of them as "doubtful." Nor, on the other hand, would it be easy to find any Father affirming the canonicity of any writing formally rejected by the Church.

### APOCRYPHAL LITERATURE OF PRE-CHRISTIAN TIMES

As most of this apocryphal literature is not readily accessible a brief account of some small portion of it will not be without interest.

We will consider first the Enoch literature. It was only to be expected that legends should gather round the shadowy figure of one "who walked with God and was seen no more because God took him" (*Gen.* 5:18-24), and of whom the author of *Ecclesiasticus* says: "he pleased God and was translated into Paradise that he might give repentance to the nation" (44:16; cf. *Heb.* 11:5). Tertullian terms him "the ancient Prophet,"[8] and Enoch soon came to be identified with one of the "two witnesses" of *Apoc.* 11:2. Yet Tertullian declares that the writings, of this "ancient Prophet" were rejected, "since written before the Flood"[9]—certainly a strange argument. Origen, too, speaks almost hesitatingly: "if any one likes to regard this Book as holy."[10] *The Apostolic Constitutions* (6,

[7] *De civ. Dei*, 15, 23, 4. [8] *De idololatria*, 15. [9] *De veste*, 3.
[10] *Contra Celsum*, 5, 54.

15), condemn "Apocryphal Books of Moses, Enoch, Adam, Isaias, David, Elias—as pernicious, and alien from the truth, books which stand in our name but were in fact written by the ungodly."

Interest in *Enoch* was aroused through the publication by the the Ethiopic scholar, Laurence, of an Ethiopic version in 1821 and 1833. For this showed how early in Hebrew history Messianic notions were prevalent. Particularly interesting were those mysterious Angels of *Gen.* 6, to whose promiscuous unions with the daughters of men the fall of 219 angels under nineteen leaders is ascribed, the progeny resulting from their relations with women being known as the "Giants" or "Rephaim" who figure so largely in Josue's conquest of Palestine and in the wars waged by David. Mysterious beings called "Watchers" ("Shomerim"), escort Enoch through the Underworld where he converses with Abel and is shown the Tree of Life and the Tree of Knowledge.

A few words should next be said about *The Book of Jubilees,* also known as *The Little Genesis.* This might be described as a glorification of the Patriarchs. In it an "Angel of the Presence" reveals to Moses the history of the ages that had gone before, even representing the Law, *e.g.,* the Day of Atonement and the Passover, as having been well known to the Patriarchs. It was Abraham who appointed Levi to the priesthood; and that priesthood is confirmed to him though Juda is to be "a Prince sitting on the Throne"; in other words, the combination of kingship and priesthood in the one person of the Messias is not even hinted at. (Cf. Zach. 6:9-15.) In fact there is no reference to a personal Messias, even the *Protoevangelium* (*Gen.* 3:15-16) being omitted and the Mosaic ritual being treated as the one basis of the Messianic kingdom; the year of Jubilee and the cycle of forty-nine years are made the pivot on which revolves a solar calendar with the year comprising 364 days. As in the Enoch literature, Angels, the "Watchers" or "Shomerim," though sent to teach men, themselves fall into sin (*Gen.* 7) for which they are punished; but some are allowed to tempt men, while the rest are dismissed to "the place of condemnation." The offspring of their illicit unions with "the daughters of men" are the "giants" who, however, slay one another.

The Biblical narrative is added to freely: Esau was not circumcised, and Jacob bestows on him a full blessing; Adam and Eve are said to have lived seven years in Eden; Cain's wife is named

and his death described. On the death of Isaac, Jacob slays Esau and wages war against the Amorrhites (cf. *Gen.* 48:22); after the Fall of our first parents the animals are deprived of the power of speech. Death is described as "going into the eternal house" (cf. *Eccles.* 12:5); there will be a Day of Judgment and a place of condemnation; there is a Book of Reprobation as well as the Book of Life; but there is no suggestion of a personal resurrection.

*The Testament of the Twelve Patriarchs* is a document in which each Patriarch is described as blessing his descendants as Jacob had blessed them (*Gen.* 49), yet the whole might not unjustly be described as a glorification of the Levitical priesthood; it almost reads as though the author had in mind the *Epistle to the Hebrews.* Thus Juda says: "To me the Lord gave the kingdom, but to Levi the priesthood, and he set the kingdom beneath the priesthood; to me the things of earth, to Levi the things of heaven." Even Reuben and Dan, though tempted to rebel, must obey Levi, who is instructed by Isaac in rites and ceremonies. Juda confesses his former sin (*Gen.* 38), but adds: "When drunk I revealed the commandments of God and the Mysteries of Jacob to the Canaanite woman Bathshua, though the Lord had forbidden me to do so."

Christian writers interpolated passages putting a different complexion on the pre-eminence assigned to Levi: "The seed of Levi will be divided into three offices for a sign of the glory of the Lord who is to come: the first shall be greater than any previous, the second consists in the priesthood, the third shall arise in Juda where a king shall rise and establish a new priesthood to mediate with the Gentiles as Prophet of the Most High, of the seed of Abraham." Yet, though combining the offices of priest, king, and prophet, the Levitical priesthood will err and the chief priests will lay hands on the Saviour of the world who is to be born of a Virgin, the Lamb of God who taketh away the sin of the world and whose kingdom shall be everlasting; He is greater than all the Angels who shall rejoice at His coming. But He is humble and poor, true and long-suffering, meek and lowly; without sin He shall open Paradise and remove the curse on Adam, He is "the Star of Jacob" and "the Prince of peace"; "He shall be lifted up upon a tree and the veil of the Temple shall be rent; the Spirit of God shall pass on the Gentiles; He shall ascend from Hades and pass from earth into heaven. The Lord shall visit all the Gentiles in his tender mercies

for ever; in his priesthood the Gentiles shall be multiplied in knowledge and enlightened through the grace of the Lord." Again as in *Jubilees* there are some strange additions to the Biblical narrative; Jacob and Juda perform martial exploits rivalling those of David; in the end, indeed, Jacob slays Esau. Nephtali in his *Testament* treats in Aristotelian fashion of the five senses and of the relation between soul and body; Reuben and Gad give admonitions on the dangers of wine and women, while Benjamin insists on a final resurrection of the body.

*Sibylline Oracles* is the title given to a heterogeneous collection of "prophecies" generally couched in hexameter form and often constituting acrostics. These are referred to a number of "seers"—the supposed meaning of the name "Sibyl," and their mystic sayings date in their present form as far back as the beginning of the second century B.C. Though constantly quoted by the Fathers these latter nowhere seem to have regarded them as divinely-inspired oracles. Clement of Alexandria does, it is true, speak of the Sibyl as "the prophetess of the Hebrews"[11] and quotes the *Oracles* repeatedly;[12] yet not so much as authoritative but rather as illustrative of otherwise-known revealed truth. Tertullian, indeed, seems to suggest that a divine authority attached to these *Oracles*: "antecedent to all other literature we have the Sibyl, that true seer of the truth whose name you have stolen and applied to your demon-deities."[13] St. Justin Martyr, too, often quotes the Sibyl and in terms which might at first suggest that he held for her Divine inspiration: "Plato and Aristophanes," he says, "call her a prophetess, and she in oracular verses taught you of One only God: 'There is one only unbegotten God Omnipotent, invisible, most high, All-seeing, but Himself unseen of mortal eye.' "[14] And further on: "You readily learn the true religion—in some sort at least—from the Sibyl of old who, by some sort of powerful inspiration, teaches in her prophetic oracles truths apparently closely akin to the Prophets."[15] But startling though these words are, they, and indeed the whole con-

[11] *Cohortatio ad Graecos*, 1, 12, 6 and 8.

[12] Cf. *Stromata*, 1, where he discusses the age at which the Sibyl lived, and 5, 14. Cf. also *Paedagogus*, 3.

[13] *Ad nationes*, 2, 12.

[14] *Cohortatio ad Graecos*, 16.

[15] *Ibid.*, 37.

text, show that he regarded these oracles as something quite apart from Holy Scripture, though remarkably illustrative of it.

St. Augustine says that once, when discussing the nature of Christ with the Proconsul Flaccianus, "a most eloquent and learned man," the latter showed him a Greek copy of the Oracles of the Erythraean Sibyl in which the opening letters of twenty-seven consecutive lines formed an acrostic which ran: "Jesus Christus Dei Filius Salvator."[16] Again, when quoting, in a letter to a recent convert, a passage from Virgil's Fourth *Eclogue:*

> Te duce si qua manent scelera vestigia nostri,
> Irrita perpetua solvent formidine terras,

he remarks: "Quoniam fortasse illa vates (the Sibyl) aliquid de uno Salvatore in Spiritu audierat, quod necesse habuit confiteri."[17] But elsewhere he dryly notes of similar oracular sayings: "etiamsi sint vera—ante fidem inutilia, post fidem superflua."[18]

Perhaps the most interesting portions that have survived are contained in what is termed Book III where many details of the coming Messianic Kingdom are given; in it Jerusalem with its Temple is depicted as the future center of a universal kingdom of righteousness.

If we turn to the end of almost any copy of the Latin Vulgate Bible we find a Latin version of *The Prayer of Manasses,* a composition by an unknown author intended to express the sentiments suggested in *II Paralip.* 33, where we are told that Manasses repented of his enormities. This Prayer is a cento of passages from the Old Testament, and clauses from it still appear in the Missal, *Introit* for the Third Sunday after Pentecost, and in the Breviary during the second week after Pentecost and the fourth after Trinity. The Tridentine Fathers, though well aware of the apocryphal character of this and *Third* and *Fourth Esdras* which follow appended them to the Vulgate "lest they should be altogether lost, whereas they are sometimes quoted by the Fathers."

*Third Esdras* is a compilation. The portions of the Hebrew taken over in *Third Esdras* are translated independently and with some additions. The section peculiar to *Third Esdras, viz.,* 3:1-5, 6, contains the much-quoted story of how, Darius being unable to sleep, his servants were called upon to tell stories illustrating their

[16] *De civ. Dei,* 18, 22, 1. [17] *Ep.* 258, 5. [18] *Contra Faustum,* 13, 1.

ideas as to the strongest thing on earth: the first said *wine,* the second the *king,* the third, Zorobabel, began by suggesting *women,* but went on to assert the claims of *truth*: "magna est veritas, et praevalet" (not "praevalebit"). *Third Esdras* is quoted by St. Jerome as "historia,"[19] also by St. Augustine[20] and Josephus.[21]

*Fourth Esdras* consists of a series of visions vouchsafed to Esdras, ninety-four books being dictated to him, twenty-four to be divulged at once, the rest to be reserved; this seems to be the basis of the legend that when the Bible was destroyed Esdras rewrote it by divine inspiration. In 1875 Bensly discovered the seventy-five verses missing from the Latin version after 7:35.

### APOCRYPHAL WRITINGS OF THE CHRISTIAN EPOCH

Since there were but four Gospels, and of their writers only two were Apostles; since, too, the *Acts of the Apostles* were practically limited to the doings of Saints Peter and Paul, while the only *Apocalypse* was that of St. John, it was only to be expected that some of the early Christians would be tempted to fill up the gaps. Hence we have *Gospels of the Infancy,* the *Gospel of Nicodemus,* the *Protoevangelium of St. James,* and a host of others; likewise *Acts* of Paul, Peter, Thomas, Andrew, John, etc., as well as Apocalypses of other Apostles.

Though these productions are full of extravagant episodes, they yet contain much that may be genuine history which it is the function of the expert to disentangle. Moreover they throw an interesting side-light on the mentality and outlook of the early Church. Here we can only deal, and that cursorily, with a selection of these writings.

First in interest should be—at least to judge by the title—the *Sayings of Christ,* known as the "Logia." St. Paul (*Acts,* 20:35) told his hearers at Miletus to "remember the word (saying) of the Lord Jesus, how he said: 'It is a more blessed thing to give rather than to receive,'" words not appearing in the Gospel; and Papias had styled the Gospels "the Oracles ("Logia" or "sayings") of Christ";[22] the same term, too, is frequently used in the New Testa-

[19] *On Ezechiel,* 4, 4.
[20] *De civ. Dei,* 8, 36.
[21] *Ant. Jud.,* 11, 3, 2-8.
[22] Eusebius, *H.E.,* 3, 39, 8, 16.

ment when referring to the Old Testament.[23] Great interest was aroused, then, by the discovery in recent years of small collections of such "sayings" of Christ. But it must be confessed that these proved disappointing, for they add little or nothing to our previous knowledge of Our Lord's teaching.

As we might expect, a large number of apocryphal works were attached to Peter, the Prince of the Apostles, such as *Acts* and an *Apocalypse*.[24] But the most noticeable of all was the *Gospel of Peter,* the discovery of which in 1887-88 was of peculiar interest since we already knew from Eusebius that Serapion, Bishop of Antioch, about 190 A.D., had felt compelled to repudiate this Gospel because "after reading it through we find many things in accordance with the true doctrine of our Saviour, but also some things added to that doctrine."[25] Study of the newly-discovered copy shows that it upheld Docetic ideas on the nature of Christ's human nature; in other words that He only "seemed" to be human, but was not so in reality. Under the title *Clementines* are grouped a series of writings such as the *Homilies,* the *Recognitions,* the *Itinerarium of Peter,* etc. To them we owe the statement that St. Peter was tonsured, also that he had a daughter, Petronilla.

The treatise entitled *The Epistle of Barnabas* can hardly have been the work of the Apostle Barnabas if only for the reason that a writing by an Apostle would presumably have been inspired and therefore canonical. For as St. Augustine points out, "had certain testimonies alleged to emanate from St. John or St. Andrew really been from their pens they would have been received by the Church through unquestionable Apostolic succession." [26] Eusebius and St. Jerome have no hesitation in rejecting the Epistle as being apocryphal. The date of its composition is still a matter of dispute; the reference in ch. 16 to the rebuilding of Jerusalem suggests a date posterior to A.D. 138 when it was destroyed by Bar Chocheba.

The name, at least, of *The Didache* or *Teaching of the Twelve Apostles* has been made familiar to many, owing to its compara-

[23] *Acts* 7:38; *Rom.* 3:2; *Heb.* 4:12; *I Pet.* 4:11.

[24] St. Jerome mentions *Acts of Peter,* a *Gospel,* an *Apocalypse,* the *Preaching of Peter,* and the *Judgment of Peter,* all to be repudiated as apocryphal.

[25] *H.E.,* 6, 12.

[26] *Contra adversarium legis et prophetarum,* 1, 20.

tively recent discovery by Bryennios, Patriarch of Nicomedia, in 1873 and its publication by him in 1883. Fresh portions were found in 1923. Its existence was already known to us from Clement of Alexandria and St. Athanasius. This tiny treatise may be described as an early "Manual of Christian Life." It falls into two parts: sections 1-5 dealing with the Two Ways of good and evil living: *viz.,* love of God and consequent keeping of His commandments, and the opposite, the Way of Death. The second part is concerned with practical details: the method of administering Baptism, of fasting and prayer, especially the Lord's Prayer, of preparation for and thanksgiving after Holy Communion, of the reception to be accorded to visiting teachers, of Sunday observance, of care in choosing bishops and deacons, finally of certain moral obligations. The treatise presents many problems quite apart from the still-disputed question of the date at which it was composed.

*The Pastor* (or *Shepherd*) *of Hermas* is best described as spiritual teaching in allegorical form given under the guise of a dream or series of dreams which may well have been genuine experiences. The teaching is conveyed in three sections entitled respectively "Visions," "Commandments," and "Similitudes." Some have thought that Hermas was the person referred to by St. Paul (*Rom.* 16:14), and the injunction to hand the treatise to Clement (Vision 2:4) might support this. But the positive statement in the Muratorian Canon: "During the Episcopate of Pius his brother Hermes wrote a book containing commandments given him by an Angel who appeared to him in the guise of a shepherd," cannot be disregarded. This reference to the "shepherd" explains the title by which the treatise is generally known.

The *Pastor* was long a popular book, but never had any place among canonical Scriptures, though constantly quoted by Clement of Alexandria, Origen, and others; St. Jerome simply remarks of it: "si cui placet illius recipere lectionem."[27] Like the *Canticle of Canticles* the *Pastor* has to be read with discrimination. Tertullian twice speaks of it—ungenerously—as "Pastor moechorum."

St. Jerome seems to have identified *The Gospel according to the Hebrews* with the *Gospel of the Nazarenes* and that of the *Ebionites.*[28] He translated it into Latin and was therefore accused by Theodore of Mopsuestia of holding there were five Gospels. Jer-

[27] *On Osee,* 8, 10.

[28] *In Matt.,* 12, 13; *De viris illust.,* 1.

ome's translation has not come down to us; we have only fragments quoted by him, by Origen and others.

The following will serve to show their character: "In the Gospel used by the Nazarenes and the Ebionites, which I have recently translated from Hebrew into Greek and which many consider to be the authentic [text copy?] of Matthew, the man whose hand was withered [*Matt.* 12:13] is described as a mason, and it is said that he begged Christ's help, saying: 'I was a mason earning my living by my hands; prithee, Jesus, restore my health so that I may no longer need to beg the bread of shame.'"[29] St. Jerome himself clearly did not regard this Gospel as the "Matthaei authenticum"; he would not have undertaken the superfluous labor of translating a work already familiar to him in Greek. Of the rich young man who made the great refusal Origen says:

> It is written in the *Gospel according to the Hebrews* that when the Lord said to him, "Go, sell all that thou hast," that young man began to scratch his head. Wherefore the Lord said to him "How can you say: I have fulfilled the Law and the Prophets, whereas it is written in the Law 'Thou shalt love thy neighbour as thyself' and yet here are many of thy brethren, sons of Abraham, who are clad in filth, are dying of starvation, while all the time your home is overflowing with wealth; but from it none go out to succour them?" Therefore did the Lord rebuke him by saying, "If thou wilt be perfect, go . . ." For it is not possible to fulfill the commandment which says "Thou shalt love thy neighbour as thyself" and at the same time be a rich man and even have immense possessions.[30]

It might seem that Origen, using the expression "it is written," considered this Gospel as canonical, but his words in another place show that he thought differently.[31]

The *Protoevangelium,* attributed to St. James, was always a popular work. To it we owe the accounts of Joachim and Anna and of the espousals of Mary and Joseph, a theme popular with mediaeval artists. The Child is described as born in a cave. The same details appear in an exaggerated form in the *Gospel of Pseudo-Matthew,* a work full of the marvelous. To this book we owe the notion that Christ had brethren according to the flesh.

*The Gospel of Nicodemus* is of much greater interest. It is also

[29] *In Matt.,* 12, 13.

[30] *On Matthew,* 8.

[31] *Contra Celsum,* 1, 3.

known as the *Acta Pilati* since in it Pilate, through the mouth of Nicodemus, describes his attempts to save Christ at His trial; the paralytic cured by Our Lord (*John*, 5), the man born blind (*John*, 9), and Claudia Procula, the wife of Pilate (*Matt.* 27:19) intervene to the same end. The names of the two thieves are given as Dysmas and Gesmas; various appearances of the risen Christ are narrated; the priests maintain that the darkness on Calvary was simply due to an eclipse. In chapter four, Christ's descent into Hell and the greeting between Him and the Patriarchs and Prophets is beautifully told—a section known in the Middle Ages as "The Harrowing of Hell"; Annas and Caiphas have to acknowledge that all these happenings had been foretold in Scripture. Chapter five gives Pilate's letters to the Emperor, his trial for himself and Claudia Procula. Chapter six tells the legend of Veronica and the reported suicide of Pilate.

HUGH POPE, O.P.

*Edinburgh, Scotland*

---

### AMERICAN LOYALTY TO THE HOLY FATHER

Meanwhile Pope Pius IX had been compelled to leave the Eternal City, and was an exile from his States. Archbishop Eccleston, not only, in pursuance of the decision of the Council [the Seventh Provincial Council of Baltimore], addressed a pastoral to the whole Catholic body in the United States on the sad condition of the Sovereign Pontiff, and stimulated the faithful to generosity in reviving the old contribution known as Peter's Pence, but he invited the afflicted Father of the Faithful to visit this country, and receive the homage of American Catholics at the coming Council. To this the venerable Pontiff replied from Gaeta, on the 8th of March, 1849, praising the zeal and devotion of the Archbishops and Bishops, and explaining that under the existing circumstances it would be impossible for him to comply with the invitation.

—John Gilmary Shea, *History of the Catholic Church in the United States from the Fifth Provincial Council of Baltimore, 1843, to the Second Plenary Council of Baltimore, 1866* (New York, 1892), p. 37.

## CARDINAL NEWMAN IS EASY READING

What better tribute could we pay to John Henry Cardinal Newman than to enlarge the circle of his readers? He is easy reading, even for those who lack a collegiate or indeed a high school education. They can enjoy and study many of his works. Master of English prose, as he is universally proclaimed, he is at the same time an artist of the ordinary, common word. He strove for such a command. A comparative study of the 1864 and 1865 editions of the *Apologia Pro Vita Sua* illustrates this. The latter was written under great pressure of time, as its chapters appeared weekly. In his 1865 changes of words he substituted generally an Anglo-Saxon for a Latin vocable. And his thought is always crystal clear.

In urging even the formally uneducated layman to read certain works of the illustrious Oratorian, I am thinking, I hope not too exclusively, of Catholic men and women like the late Hon. Alfred E. Smith. He was never accorded any privileges mentioned in the Latin sheepskin of a Bachelor of Arts. His mind was trained nevertheless, much as was Abraham Lincoln's. I am sure that "Al's" intellect, clear and incisive as it was undoubtedly, would have enjoyed certain works of Cardinal Newman. Did he? I confess I never heard that he did. I am confident, though, that he could and so my plea is, give the laity—educated and uneducated —a chance to enjoy Cardinal Newman by placing some of his works in their hands.

I have enlarged the "entrance requirements" to take in the formally educated laity, as, unfortunately, I am afraid many of them have read Cardinal Newman only in anthologies. And what is the good of an anthology if it does not induce one to read the original works of the author? How many educated Catholic laity have read one volume of John Henry Cardinal Newman? But that is the past. There are today's arguments for building up a Newman reading clientele, not excluding the clergy! Newman belongs to the ages and it is never too late to make his acquaintance.

As a matter of encouragement to all of us, one of his most brilliantly written books was addressed to the ordinary lay people of Birmingham, the "Brethren of the Oratory." I refer to *The*

*Present Position of Catholics in England*, a series of nine lectures, which are approaching the time-approved popularity of a hundred years, having been delivered in 1851. Moreover, the subject matter is as timely today, unfortunately, as it was nearly a century ago in England, *viz.*, the anti-Catholic point of view taken by many non-Catholics.

Father Newman, a convert of six years, was fully cognizant of the inside aspect of prejudice as few other priests could have been. He recognized further the obligation of this advantage and that his ability to portray the malady was rather unique in the Catholic Church of his day. Further, he must have felt a zeal for God's house that stimulated his native energy to slay the dragon of no-Popery. There was aroused in him, too, almost for the first and last time, a delicate wit and humor and delicious irony that have placed *The Present Position of Catholics in England* and *Difficulties of Anglicans* in an exclusive category among his books and even among English prose writings.

Practically every large anthology on English literature contains passages from the first series of lectures. Newman immediately caught the attention of his audience by the now famous descriptions of "The Man and the Lion" and of the Russian anti-English mob. In the former, the sedate lecturer retells how the Lion was entertained most courteously and treated as a human guest by the Man. Set out most prominently in a rich collection of sculpture and painting in the Man's house were images of a Lion. But the latter was always the victim when there was a conflict between man and himself. Furthermore, the Lion was done into "extravagant forms, as if he were not only the slave and creature but the very creation of man . . . in short, there was no misconception of excess or indignity which was thought too great for the lord of the forest and the king of brutes." All the time the Man was unconscious of the humiliation he was heaping upon the Lion. When his guest was ready to depart, the Man asked the Lion what the latter thought of such splendors of art. The guest answered: "Lions would have fared better had lions been the artists." And Newman added: "You see the application before I make it."[1] Catholics were the Lion to the England of 1851.

[1] Cf. *The Present Position of Catholics in England* (London: Longmans, Green and Co., 1896), pp. 2 ff.

This fable was a "softening-up" barrage for the "beachhead" the lecturer was about to make in his famous caricature of the anti-Catholic Englishman of his day in the person of an anti-English agitator haranguing a Russian mob and arousing it to fanaticism against the British Constitution.

"I hold in my hand," continued the speaker, "a book which I have obtained under very remarkable circumstances. . . . It is called 'Blackstone's Commentaries on the Laws of England,' and I am happy to make known to the universe its odious and shocking mysteries. . . . I open the book, gentlemen, and what are the first words which meet my eyes *'The King can do no wrong'* . . . 'In the law,' says Blackstone, 'the Sovereign is said *never to die!*' Again, with still more hideous expressiveness, 'The law ascribes to the Sovereign an ABSOLUTE IMMORTALITY. THE KING NEVER DIES!'"[2]

In concluding his first lecture, Newman protests that he has not caricatured at all this parallel to anti-Catholicism; that no absurdities contained in his sketch "can surpass those which are firmly believed of Catholics by sensible, kind-hearted, well-intentioned Protestants." Then comes a manifestation of that sympathetic Newman, whom Englishmen eventually came to appreciate: "Such is the consequence of having looked at things all on one side, and shutting the eyes to the other."[3]

Is this not an enticing preview of *The Present Position of Catholics in England* for the mental screen of my ordinary layman? I will gamble my literary fortune on this: bachelor of arts or non-bachelor, after reading this first lecture, will finish one book written by Cardinal Newman. What a triumph! For today how many people, I wonder, read through one serious book a year! With the description of this imaginary Russian mob taking on a current note of interest, let my collegiate or non-collegiate layman read on. He has tasted but the *antepasto*. A banquet awaits him in the succeeding eight lectures. Here is a glance at the menu.

Great passages in all literatures arise naturally. They belong to the occasion, as the wild flower to the woods. And so in enumerating the spreading of prosaic anti-Catholic rumors, Newman, the artist of word and phrase and of repetition without sameness,

[2] *Ibid.*, pp. 29-39.

[3] *Ibid.*, p. 41.

in a later chapter breaks into a brilliant onomatopoeic narration of how, at the faintest whisper of Catholicism, "spontaneously the bells of the steeple begin to sound . . . swinging and booming, tolling and chiming, with nervous intenseness, and thickening emotion, and deepening volume, the old ding-dong which has scared town and country this weary time; tolling and chiming away, jingling and clamoring and ringing the changes on their poor half-dozen notes . . ."[4] This description in its entirety has been considered a prose rival of Poe's famous "The Bells." Its appropriate music is readily recognized and appreciated by any one as a help to the full sense of the theme.

A diary of the time, kept by Miss Giberne, mentions the peals of laughter which were audible from outside the hall where Newman was giving these lectures.[5] He felt sure of himself in exposing "No-Popery" according to the rule that ridicule is a test of truth. Tradition and fable were the supports of bigotry; prejudice, its life; assumed principles the intellectual ground, and ignorance was the protection of the Protestant view. Thus ran Newman's arguments through the eight lectures. In the fifth, however, Father Newman dropped all his bombs of keen irony and biting sarcasm in a devastating attack on the ex-priest and degenerate, Achilli, who had been embraced and exploited by an anti-Catholic group in England. He was attaining the notoriety of another Maria Monk. Newman pictured him as saying: "I have been a Catholic and an infidel; I have been a Roman priest and a hypocrite; I have been a profligate under a cowl." He continued with an enumeration of Achilli's various immoralities and then: "Look on me, ye mothers of England, a confessor against Popery, for ye 'ne'er may look upon my like again' . . . . And not attend to me, such as I am, and you shall see what you shall see about the barbarity and profligacy of the Inquisitors of Rome."[6] Achilli in his bold libel suit against the lecturer was supported by the anti-Catholic group. The verdict, as the London *Times* declared, was a deep stain on the administration of justice in England. Father Newman was found guilty and fined one hundred pounds. This was promptly paid by friends, but the cost of the suit,

[4] *Ibid.*, p. 76 f.

[5] Cf. Wilfrid Ward, *The Life of John Henry Cardinal Newman* (New York: Longmans, Green and Co., 1912), I, 264.

[6] *Ibid.*, I, 279 n.

which reached the enormous sum of twelve thousand pounds, also fell on the penniless Newman. Fortunately, public subscriptions in Europe and America paid the entire amount. Newman appreciated this brotherly affection of Catholics. He dedicated *The Idea of a University* to them in a beautiful gem of English prose.

To skip to the ninth and last discourse, Newman, as another St. Paul, pointed out to Catholics, especially to the laity, their duties towards this Protestant view. He ended with no general apostrophe, but a very plain, intelligible appeal to their individual lives. "Oblige men to know you; persuade them: importune them, shame them into knowing you."[7] These forcible words might be called the climax of what had gone before. Every Catholic layman will feel proud as he reads this chapter: "In all times the laity have been the measure of the Catholic spirit; they saved the Irish Church three centuries ago, and they betrayed the Church in England."[8] He pleads for a laity, "not arrogant, not rash in speech, not disputatious, but men who know their religion."[9] He recognizes that his audience is such, but he would have them enlarge their knowledge, cultivate their reason, get an insight into the relation of truth to truth, understand how faith and reason stand to each other.[10] Newman advised his audience "not to fret at insults, to bear imputations, and to interpret the actions of all in the best sense you possibly can."[11] Did this seem almost a worldly way of speaking, with no reference to Christian charity? He would not "adopt a tone too high for the occasion," yet every age has its martyrs.[12] Will this? "I only say that if it were to be a time for calling out the martyr's spirit, you and I, through God's grace, have it in us."[13] Holding forth such heroism as a possible reality, Newman could with greater force urge home a practical lesson to be had by his lay audience. And in 1945 it is the same for the American layman of his day as for the English one of 1851. "Look at home, there lies your work; what you have to do, and what you can do, are one and the same. Prove to the people of Birmingham, as you can prove to them, that your priests and yourselves are not without conscience, or

[7] *The Present Position of Catholics in England*, p. 372.
[8] *Ibid.*, p. 390 f.
[9] *Ibid.*, p. 390.
[10] Cf. *ibid.*
[11] *Ibid.*, p. 392.
[12] Cf. *ibid.*
[13] *Ibid.*, p. 400.

honour, or morality. . . . If, then, a battle is coming on, stand on your own ground . . . . be found where you are known; make yourselves and your religion known more and more, for in that knowledge is your victory."[14]

To the laity, with or without that Bachelor's degree, I would close my brief for their reading *The Present Position of Catholics in England* with the following attractive sentences from the concluding paragraphs of the last lecture. "Good is never done except at the expense of those who do it . . . . nothing would be done at all, if a man waited till he could do it so well that no one could find fault with it."[15]

*The Idea of a University*, in contrast, is probably the most academic in matters of Newman's writings, as the titles of the book and of its chapters indicate. It is moreover, the best example of Newman's literary style. For these two especial reasons it is studied in English and American seats of learning. Such varied high praises have been bestowed on it that it would be impossible to pick out the most striking rose in the bouquet. One such would be that of Sir Arthur Quiller-Couch. As his last book, *Memories and Opinions*, has refreshed our recollections of him, let that be the deciding factor for quoting from him: "And here let me say that of all the books written in these hundred years there is perhaps none you can more profitably thumb and ponder than . . . . *The Idea of a University* . . . . the book is so wise—so eminently wise—as to deserve being bound by the young student of literature for a frontlet on his brow and a talisman on his writing wrist."[16] Any serious-minded lay person, no matter whether he or she has attended college, could be urged to read this volume. Assure him or her of delightful hours in doing so.

If, however, *The Idea of a University* seems impregnable for the ordinary lay person, let him by-pass that salient and consider instead the contents of Newman's autobiography, the "explanation of his life," his *Apologia Pro Vita Sua*. Many consider it to be Newman's masterpiece, and one of the three great autobiographies of all time! It, too, was addressed, though in writing,

[14] *Ibid.*, p. 385.

[15] *Ibid.*, pp. 402 f.

[16] *On the Art of Writing* (New York: G. P. Putnam's Sons, 1916), p. 37.

to the laity, the man in the streets of England in 1864. It had a large distribution, being issued weekly in pamphlet form during the time of its writing.

All men naturally resent being called a liar, and so did Father Newman. He was shocked to read such an accusation against him and his fellow priests by the well-known writer, Charles Kingsley, in the following passage of a book review contributed to a popular magazine. "Truth, for its own sake, had never been a virtue with the Roman clergy. Father Newman informs us that it need not, and on the whole ought not to be;—that cunning is the weapon which heaven has given to the Saints wherewith to stand the brute male force of the wicked world which marries and is given in marriage. Whether his notion be doctrinally correct or not, it is at least historically so."[17]

Here was the clear incentive that Father Newman had long awaited. Now it was not merely his private reputation and character which were at stake but the good name of every priest and so of himself as a member of the "regale sacerdotium," the royal priesthood of the Roman, Holy, Catholic and Apostolic Church for which he had sacrificed his previous welfare. He wrote to the publishers, Macmillan and Company, expressing his surprise that "There is no reference at the foot of the page to any words of mine, much less any quotation from my writings in justification of this statement. . . . I do but wish to draw the attention of yourselves, as gentlemen, to a grave and gratuitous slander, with which I feel confident you will be sorry to find associated a name so eminent as yours."[18]

And so, nineteen years after his conversion to the Church, Newman began one of the most famous of all epistolary controversies, that between the "Rev. Charles Kingsley and Dr. John Henry Newman." While not a part of the *Apologia Pro Vita Sua*, the correspondence is given usually as an appendix to the book. Newman showed himself a master in smoking out his opponent. He acknowledged Kingsley's letter "referring generally to a Protestant sermon of mine . . . . published by me, as Vicar of St. Mary's, in 1844 . . . . and also referring to my works *passim*; in justification of your statement, categorical and definite that

[17] Quoted in *Newman's Apologia Pro Vita Sua* (Oxford University Press, 1931), p. 6.

[18] *Ibid.*, p. 7.

'Father Newman informs us', etc."[19] Kingsley retorted: "What then does Dr. Newman mean?"

"What then does Dr. Newman mean?" This question kept recurring to Newman's mind. At last, he realized that it was not Kingsley but England that asked the question. To England the answer would be given in the history of his life. Away with Kingsley, the appeal is to the English people. And how opportune was to be Newman's appeal can be judged by the following extract which a non-friendly critic, addressed to Father Newman: "All England has been laughing with you and those who knew you of old have rejoiced to see you once more come forth like a lion from his lair, with undiminished strength of muscle, and they have smiled as they watched you carry off the remains of Mr. Charles Kingsley (no mean prey) lashing your sides with your tail, and growling and muttering as you retreat into your den."[20] To a third party, who had interposed, in a written communication suggesting a truce, Newman's answer was brilliant: "Most wonderful phenomenon! An educated man, breathing English air, and walking in the light of the nineteenth century, thinks that neither I nor any members of my communion feel any difficulty in allowing that 'Truth for its own sake need not, and on the whole ought not to be, a virtue with the Roman clergy;' nay, that they are not at all surprised to be told that 'Father Newman had informed' the world, that such is the standard of morality acknowledged, acquiesced in, by his co-religionists!"[21]

Newman realized that rapid and continuous firing was of the essence in his present attack on the hitherto complacent English anti-Catholics. He wrote for as many as twenty hours a day during those weeks. Despite the strain, he was always the gentleman he pictured so forcibly in *The Idea of a University*. Urbanity is conceded even to this polemical writing, done under a white heat of strong personal feeling. This period was a great crisis in Newman's life, but he triumphed, as was evidenced, for example, by the changed and enthusiastic reviews in the London *Times* of Newman's following works. Kingsley, to his own credit, declared that he had joined swords with one who was too strong for him.

[19] *Ibid.*, p. 9.

[20] Wilfrid Ward., *op. cit.*, II, 34.

[21] Quoted in *Newman's Apologia Pro Vita Sua* (Oxford University Press, 1931), p. 10.

The *Apologia Pro Vita Sua* illustrates its author's general style, "common English made perfect." You may challenge, then, an intelligent layman to read the *Apologia* with the attention he gives to the editorial page of his daily newspaper. He will have joined the ranks of those who know Cardinal Newman not from a disconnected, syncopated anthology but from having read one of his complete volumes. How numerous will such valiant laymen be? The answer to that question must be left to the future. For myself I am willing to put off the answer with the great hope that time will multiply those numbers in geometric proportions.

DANIEL M. O'CONNELL, S.J.

*The University of Detroit,*
*Detroit, Michigan.*

---

"NOT AS THE WORLD GIVES"

O wisdom of the world! and strength of the world! what are you when matched beside the foolishness and weakness of the Christian? You are great in resources, manifold in methods, hopeful in prospects; but one thing you have not, and that is peace. You are always tumultuous, restless, apprehensive. You have nothing you can rely upon. You have no rock under your feet. But the humblest, feeblest Christian has that which is impossible to you.

—Cardinal Newman, in *Callista* (London: Longmans, Green and Co., 1902), pp. 353 f.

---

VINCENT OF LERIN'S RULE OF FAITH

We must take care to hold, in the Catholic Church, that faith which has been believed everywhere, always, by all. For that is truly and in the strictest sense Catholic which, as the name itself, and its meaning show, comprehends all things universally. This rule we shall observe if we follow universality, antiquity, consent. We shall follow universality if we confess that one faith as true which the entire Church throughout the world confesses; antiquity, if we in no way depart from those teachings which were manifestly and obviously held by our holy ancestors and fathers; consent, in the same way, if in antiquity itself we hold to the definitions and determinations on which all or nearly all of the priests and doctors agreed.

— The *Commonitorium*, chapter 2.

## ELIZABETH'S CATHOLIC COMPOSER

Although the Elizabethan composer William Byrd, called "the English Palestrina," ranked second only to Shakespeare among the great figures of the English Renaissance, we know oddly little about his life. But we do have his music, great music, signally in the Catholic tradition, and worthy of our hearing and performing it. And we do have about him some singular information; for we have been allowed an insight into Byrd's manner of composition that shows how the music itself is the direct product of the man's religion. In this regard, Byrd is unique, for no other great composer has ever given us assurance of such a connection.

Byrd's very position in life bears testimony at once to his Catholicity and to his musicianship. For, although he was organist in Elizabeth's Chapel Royal and kept the position at the nod of the Protestant queen, he remained until his death an obstinate recusant and made no attempt to put his Catholicity into the background. And, on the other hand, he was so fine a musician that Elizabeth, Fuehrerin of the regimented state religion, grandly overlooked his Popery and kept him on.

But Byrd was not unique in being thus tolerated. His predecessor, teacher and associate, Thomas Tallis, remained a Catholic. And a certain Sebastian Westcote, an organist at St Paul's, was likewise protected by Elizabeth despite his Catholicity. But, as we shall see presently, there is a unique indication of the religion in Byrd's very music.

This William Byrd (a common name in his day, and spelled variously) was born late in 1542 or early in 1543 at Lincoln. Organist of the Lincoln cathedral at the age of twenty, he married at twenty-one. His wife was to bear him half a dozen children. Five years after his marriage he received an appointment to the Chapel Royal in London as organist (although he does not seem to have left Lincoln at once). One portrait of him remains, and that not authenticated, apart from the word portraits of his contemporaries, who found him a grave and meditative man, called him a "Father of Music," and seem to have venerated him as much for his fine character as for his superlative musicianship. We have records of certain lawsuits of his, and the progress of these shows him a man of alert intellect. We have records of his re-

cusancy and clandestine Mass-hearing. There is, of course, his will. We have the dedications of his books of music, and these dedications, in good Latin and English style, reveal their writer as a man of learning and wit. We have the letters whereby the Queen granted jointly to him and to Tallis a monopoly, anything but lucrative, as it turned out, of printing and selling music and music paper. Beyond these things we have little else but the music itself.

The music first of all undeniably stamps Byrd as one of the world's great musicians. True, he cannot contest Palestrina's position as the greatest of polyphonic composers, but he can be mentioned in the same breath with Palestrina. As a madrigalist (he fathered the English madrigal school), he ranks perhaps below Morley and his other followers in his own country, and below Orlando di Lasso and others in Italy, but certainly he must challenge Purcell's title to being the greatest of English composers. He played a part in the development of the string quartet. He exploited the variation form. He was, with his more than a hundred pieces for virginals, the first great composer to write music for keyboard instruments.

Beyond all that, Byrd and his music deserve to be objects of intense interest on the part of all English-speaking people who turn their attention to liturgical polyphony for Catholic church services.

Here we must clarify the term "polyphony," the way in which such composers as Byrd and Palestrina wrote music, for it is a term widely misunderstood even among many music-lovers and church musicians. We shall not hesitate to spend what might seem a disproportionate amount of time in discussing it, for it is fruitless to consider any Renaissance musician without understanding clearly the art which he practiced.

We are all acquainted, of course, with melody, which is the performance that one human voice, singing alone, is capable of giving. We are also familiar with harmony, the melody sung by one voice accompanied by another voice or other voices which go along with the melody but are three, four, five or six notes higher or lower than the melody. But polyphony is a third thing. In it, two or more voices, singing together, each execute a separate melody. If one man sings *The Star Spangled Banner* while at the same time another sings *America* the resulting performance is polyphony (neither melody being a mere tuneless accompaniment to the

other), although polyphony of a crude, primitive sort. By the time Byrd was writing, polyphony had long been harmony besides, in the sense that composers avoided all harsh clashes of notes in the intertwining of the melodies; nevertheless, polyphonists did not write "chords" one after another as composers do today; they wrote a melody, then another melody to go with it, and so on, with a result excitingly different from what most modern ears are accustomed to.

This kind of music, classical polyphony, is, in the famous *Motu Proprio,* especially recommended for church use, a fact which, in the understandable enthusiasm for plainchant, we often gloss over. This is the music that is the glory of the Roman basilicas and their matchless choirs. It is perhaps the only art form besides antiphonal psalmody that can claim both birth and nurture from the holy liturgy; for plainsong, painting, sculpture, architecture—all were brought to God's house from without; polyphony was born within that house. It is a Catholic heritage, of which Byrd, Victoria, and Palestrina were the chief enrichers, and which nowadays is often traded for a mess of trivial harmonized compositions.

Deriving this elaborate art form from Palestrina, and using it with originality and daring, Byrd has given us superb compositions which today mutely appeal for performance by our large church choirs. For example, we have the subtly expressive *Ave Verum Corpus,* the surprisingly colored *O Quam Suavis,* the *Justorum Animae,* matchless for All Souls' Day, and the *Haec Dies* for Epiphany and Easter, to name but four of a host of motets. There are also the Masses, surreptitiously written and surreptitiously performed. (One would think that the glamor of such forbidden music would have made it an object of particular attention among Hollywood-minded Americans, with the Irish in especial fastening upon the compositions of Byrd as the work of a fellow sufferer and devotee of the Sacred Host.) Of the Masses, the one for three voices in E flat (originally a tone higher) seems suited for present liturgical use, if one can justify or somehow make amends for the strange Kyrie, with its three instead of nine invocations. An expert rubricist would probably call Byrd's more elaborate settings of the Mass too repetitious.

For concert listening, Byrd offers not only some madrigals and other secular music but many hymns in English and services for the Anglican church besides. Composition of these last, part

of his duties in the Chapel Royal, seems not to have troubled his Catholic conscience. Therefore, we need not here and at this late date discuss the morality of his conduct. Suffice it to say that his Anglican compositions are beautiful music, and are not being neglected by the institution for which they were written.

It is, of course, not without some effort that most modern listeners will discover the ineffable beauty that lies in Byrd's music. Let us meet the man himself, speaking in one of his prefaces, and giving two pieces of advice on that very subject: "Only this I desire," he writes, "that you will be but as carefull to heare them well expressed, as I have been in the Composing and correcting of them . . . for that the well expressing of them, either by Voyces, or Instruments . . . is seldom or never well performed at the first singing or playing." And then, "Besides a song that is well and artificially [artfully] made cannot be well perceived nor understood at the first hearing, but the oftener you shall heare it, the better cause of liking you will discover: and commonly the Song is best esteemed with which our eares are most acquainted."

Unfortunately, that most Catholic thing, liturgical polyphony, is something with which, in this country, "our eares" are but little acquainted.

Having thus recommended Byrd's music as truly great, we have now to fulfill the promise of showing unique evidence of its religiousness.

Not many years ago, a distinguished critic-composer and popular commentator on music said over the radio that, although a composer may get down on his knees and pray before beginning to write, nevertheless, when he is composing, he is probably thinking, not about God, but about music.

We find, however, in the preface to Byrd's first book of *Gradualia,* a startling and unparalleled revelation. Its statement may not confound the critic just cited; but it does assert the essential religiousness of Byrd's music. And it reveals perhaps more about Byrd, man and musician, than could a long biography. He is writing about the sacred words which it is his art to put to music, and he says: "Now, as I know by experience, there exists in the very ideas themselves a mysterious and hidden force such that, to anyone who meditates upon the divine truths, the most fitting melodies—I know not how—occur *of their own accord.*"

This statement shows us a musician who could take such texts

as, "Oh, how sweet is the Lord," "The souls of the just are in the hand of God," "Hail, true Body born of Mary, the Virgin," and "This is the day which the Lord hath made: let us rejoice and be glad in it," meditate on them, and find that they spontaneously provoked from him beautiful combinations of melodies which his musical genius recognized as a fit setting for the heaven-born ideas expressed in the words. We should like to think of Victoria, the pious composer, writing his sublime *O Regem Caeli* as the result of such mysterious stimulation. Many of us would like to think it of Bach, and of that "French Bach" whom Romain Rolland calls "the Saint of Music"—César Franck. Some of us would perhaps like to be able to claim the experience as our own. But we can use Byrd's own words in ascribing it to him.

Byrd, the indomitable Papist, died on the Feast of the Sainted Popes, July 4, 1623. We cannot think without emotion of his life, almost entirely devoted to the music that sprang from the marriage of the Sacred Texts and his own meditative soul. And they can but wish to hear and sing that music who, with its composer, feel that: "The better the voice is, the meeter it is to honour and serve God therewith: and the voice of man is chiefly to be employed to that end."

WILLIAM J. KERRIGAN

*St. Ambrose College,*
*Davenport, Iowa*

---

### CARDINAL ALLEN'S REACTION TO PERSECUTION

The persecutors be now no stronger than they were of old. The Church is no weaker than she had wont to be. Her Assistant and Defender is as near her as ever He was. We are no better than our forefathers. We less fear death, and less set by our lives than ever before. Our counts are cast and allowed. It is better to die in this apostolical fight and combat "Quam videre mala gentis nostrae et sanctorum": assuring ourselves that to be undoubted which St. Leo writeth . . . that the religion founded in the Sacrament of Christ's Cross can be destroyed by no kind of cruelty. The Church is not diminished by persecutions, but increased.

—Cardinal William Allen, *A True, Sincere and Modest Defence of English Catholics That Suffer for Their Faith both at Home and Abroad* (St. Louis: B. Herder; London: Manresa Press, 1914), II, 151 f.

## THE CATHOLIC CENTER FOR JEWS

The Catholic Center for Jews (hereafter referred to as the "Center") was founded in 1938 by the Rt. Rev. Monsignor A. R. Cioffi, pastor of St. Rosalia's Church, Brooklyn, N. Y. The Center's early history is replete with the discouragements and struggles that are usual in pioneering missionary movements. Now, after seven years, efforts are still in the pioneer stage, but the progress made and the knowledge gained through experience during that time point to a very encouraging future.

On May 11, 1945, the Most Rev. Thomas E. Molloy, S.T.D., Bishop of Brooklyn, gave his public recognition to the Center by affixing his *Imprimatur* to a small document. This was an event long and eagerly awaited by the group of zealous Catholics, some of whom were converts from Judaism, who had been working incessantly to awaken the interest of our separated Jewish brethren in the teachings of the Catholic Church and, eventually, to convert them.

The document, a four-page leaflet, discusses briefly the merits of looking into the Catholic Faith and invites all interested persons to attend the monthly Forums held by the Center. It includes a short prayer, recited daily by the members, for the return of Israel to the Faith and gives the address of the "Information Center" to which all interested persons may go each Tuesday between 7 and 9 p. m.

### A SEED IS SOWN

The officers of the Center found that many excellent plans were stalemated by the timidity and inexperience of the workers. At a special meeting called for the discussion of this particular problem, a way was found to overcome that difficulty. Why not print a small leaflet of information that could be judiciously distributed?

Thus came into being the Center's first leaflet. The Center follower, consequently, had a brief, concise, ever-handy message that could be passed on to any interested person.

The first leaflet appeared in 1941 and helped answer the many inquiries that were coming in, not only from Brooklyn, but from New York, Boston, Philadelphia, Louisville, Pittsburgh and

Chicago as well. There have been several issues of the leaflet, each succeeding one containing new and necessary up-to-the-minute information.

At present, the leaflet is distributed throughout the Diocese of Brooklyn and in a goodly number of Churches in the Manhattan area. It can be found on display in pamphlet racks of more than eighty churches with the express consent of their respective pastors who have been previously interviewed by the president of the Center. The leaflet in the racks of parish churches serves as an effective, though silent, means of co-operation. It is not unusual today for pastors to read the Center's notice of Forums from the pulpit on a Sunday morning or to publish the notice about it in the parish monthly bulletins.

Behind the distribution of the leaflet lies the tale of the pioneering and spade work of the zealous workers who have persevered in the work of the Center since its inception. It is they who distribute the leaflets (or delegate friends who are kindly disposed toward the work) in their parish churches.

Then came the center's pin, a small ornament in the shape of a shield, bearing the Cross of Christ and the Star of David, representing the close spiritual proximity of the two. It is done in white and light blue, the traditional colors of the House of David. The inscription, "Catholic Center for Jews," and the Center's motto, "Peace Upon Israel," are in gold letters.

The pin invites discussion and the wearer is soon engaged in a friendly talk about his missionary endeavors. At this point, too, a leaflet makes its appearance and a seed is sown. As can be readily seen, the distribution of the leaflet is a very important part of the Center's activities. It spreads knowledge of the Center's existence and creates a current of good will which is bound to result from mutual understanding between Catholics and Jews.

### THE MONTHLY FORUMS

The monthly Forums are held between 9 and 10 p. m. in Regina Hall, 65th Street and 12th Avenue, Brooklyn, under the direction of the spiritual moderator, Monsignor Cioffi, and the president of the Center. Each month, a clergyman is asked to speak on a relevant topic. Discussion follows. Preceding the Forum, from 8 to 9 p. m., a Holy Hour for the conversion of the

Jews is held in St. Teresa's Chapel directly above Regina Hall. The starting hour and the rather short session of the meeting were adopted for the convenience of those living at a distance from the Center.

Even for those reared in the Faith, these Forums are extremely interesting and informative. They are held monthly from October until May and are publicized in the Catholic diocesan weeklies. Before the war, the Forums were very well attended; sometimes, several hundred people would come to hear an able speaker. Due to wartime conditions, the attendance naturally dropped off, but now, with peace regained, it is confidently expected to be in ascendance again.

### THE SPEAKERS BUREAU

Due to the many inquiries, it soon became apparent that much organizing and planning were required. One meeting place would not be enough, since the aims of the organization had to be put before the Catholics of every section of the Diocese. Another conference was held, and it was decided that a Speakers Bureau would be extremely helpful. The members would accept invitations and fill requests for guest speakers at Church society meetings throughout the Diocese, giving short, informative talks explaining the existence and aims of the Center.

A committee was set up to seek out such invitations and requests. A post card notice of Forum meetings was mailed each month to all the rectories in Brooklyn, Queens, and parts of Nassau and Suffolk counties. Each postal included a form request inviting Center speakers to address the members of the Church's parish societies at one of their regular meetings. This idea proved quite fruitful.

### LOCAL AUXILIARY UNITS

Center activities were increasing in scope and now the problem was to hold the interest of the persons who lived in areas situated at long distances from the Center's headquarters. As a result, local auxiliary units in parishes throughout the Diocese seemed to be the answer to the problem. Each unit would have from five to twelve members, and meetings would be held monthly from October to May inclusive, in the homes of the members or in the parish hall, if the Pastor graciously allowed its use.

No dues were to be collected, nor any other assessments levied, nor articles offered for sale without the express permission of the spiritual moderator of the Center. These members were to act as Center representatives in the areas in which their respective units were located. The units were, however, not to be considered a part of parish activity, but were under the direct supervision of the Center's spiritual moderator.

On Columbus Day, 1944, the first auxiliary unit, named after St. Paul, was established in the vicinity of Elmhurst, Long Island. It consisted of eight members, both men and women, belonging to five parishes. That group of zealous Catholics now numbers twelve. They have greatly stimulated interest in the movement by inviting new people to the meetings which now serve as a pattern for future units.

Through the kindness of the pastor of the Ascension Parish, Elmhurst, a public demonstration of Unit meeting procedure was given by this Unit last fall in the parish hall. Public notice of the meeting was inserted in all the metropolitan Catholic weeklies. We are happy to state that the Unit has furnished the Center with many fine active members in the brief time of its existence.

### BUREAU OF INFORMATION

During the past year, the Bureau of Information was removed from the Don Bosco Free Catholic Library, 117 Court St., Brooklyn to its new location, the centrally and conveniently located Ave Maria Shop, 23 Lafayette Avenue, opposite the Brooklyn Academy of Music. The Bureau of Information had been housed in the Catholic Library for two years, thanks to the Reverend Director who had permitted its use to the Center.

### THE CENTER SOCIETY

Last, but not least important, was the formation of the Center Society. This permanent supporting organization was deemed necessary because of the growing proportions and scope of the Center's endeavors. Early this year, a meeting open to all Center followers was held to discuss and consider a proposal for the formation of the Society. The proposal was temporarily tabled, and a committee of five selected by the chairman was set up as a planning committee. The committee was to act as a sort of Regency Council to take care of any unforeseen emergency.

Jews is held in St. Teresa's Chapel directly above Regina Hall. The starting hour and the rather short session of the meeting were adopted for the convenience of those living at a distance from the Center.

Even for those reared in the Faith, these Forums are extremely interesting and informative. They are held monthly from October until May and are publicized in the Catholic diocesan weeklies. Before the war, the Forums were very well attended; sometimes, several hundred people would come to hear an able speaker. Due to wartime conditions, the attendance naturally dropped off, but now, with peace regained, it is confidently expected to be in ascendance again.

### THE SPEAKERS BUREAU

Due to the many inquiries, it soon became apparent that much organizing and planning were required. One meeting place would not be enough, since the aims of the organization had to be put before the Catholics of every section of the Diocese. Another conference was held, and it was decided that a Speakers Bureau would be extremely helpful. The members would accept invitations and fill requests for guest speakers at Church society meetings throughout the Diocese, giving short, informative talks explaining the existence and aims of the Center.

A committee was set up to seek out such invitations and requests. A post card notice of Forum meetings was mailed each month to all the rectories in Brooklyn, Queens, and parts of Nassau and Suffolk counties. Each postal included a form request inviting Center speakers to address the members of the Church's parish societies at one of their regular meetings. This idea proved quite fruitful.

### LOCAL AUXILIARY UNITS

Center activities were increasing in scope and now the problem was to hold the interest of the persons who lived in areas situated at long distances from the Center's headquarters. As a result, local auxiliary units in parishes throughout the Diocese seemed to be the answer to the problem. Each unit would have from five to twelve members, and meetings would be held monthly from October to May inclusive, in the homes of the members or in the parish hall, if the Pastor graciously allowed its use.

No dues were to be collected, nor any other assessments levied, nor articles offered for sale without the express permission of the spiritual moderator of the Center. These members were to act as Center representatives in the areas in which their respective units were located. The units were, however, not to be considered a part of parish activity, but were under the direct supervision of the Center's spiritual moderator.

On Columbus Day, 1944, the first auxiliary unit, named after St. Paul, was established in the vicinity of Elmhurst, Long Island. It consisted of eight members, both men and women, belonging to five parishes. That group of zealous Catholics now numbers twelve. They have greatly stimulated interest in the movement by inviting new people to the meetings which now serve as a pattern for future units.

Through the kindness of the pastor of the Ascension Parish, Elmhurst, a public demonstration of Unit meeting procedure was given by this Unit last fall in the parish hall. Public notice of the meeting was inserted in all the metropolitan Catholic weeklies. We are happy to state that the Unit has furnished the Center with many fine active members in the brief time of its existence.

### BUREAU OF INFORMATION

During the past year, the Bureau of Information was removed from the Don Bosco Free Catholic Library, 117 Court St., Brooklyn to its new location, the centrally and conveniently located Ave Maria Shop, 23 Lafayette Avenue, opposite the Brooklyn Academy of Music. The Bureau of Information had been housed in the Catholic Library for two years, thanks to the Reverend Director who had permitted its use to the Center.

### THE CENTER SOCIETY

Last, but not least important, was the formation of the Center Society. This permanent supporting organization was deemed necessary because of the growing proportions and scope of the Center's endeavors. Early this year, a meeting open to all Center followers was held to discuss and consider a proposal for the formation of the Society. The proposal was temporarily tabled, and a committee of five selected by the chairman was set up as a planning committee. The committee was to act as a sort of Regency Council to take care of any unforeseen emergency.

The planning committee at its meeting in February discussed and considered once more the plan for the Society and finally approved it. That plan was submitted to another open meeting of Center followers in March, was approved by the Spiritual Moderator, and was unanimously adopted by those present who immediately joined the Society. Since that time, others have joined, and there are many promising prospective members who have only just become acquainted with Center efforts and the new Society.

The plan contained several requirements and provisions. Each member must be a practical Catholic, who will say the Center's short prayer daily, recite the Rosary once every Saturday, and receive Holy Communion on the first Sunday of every month. Membership requirements of the Society differ from those of the Units. Unit members are not subject to religious requirements other than that they possess the reputation of being good Catholics. Society members must be practical Catholics in order to fill the Society's religious requirements set for them. Only active Society members, moreover, are eligible to hold office in the Society and vote on matters placed before them at meetings.

### SUMMATION: FACILITIES AND ACTIVITIES

Here is an up-to-the-minute, summarized review of the Center's facilities and activities, together with some added comment.

The facilities are as follows:

(1) A newly organized, supporting Society with officers assisting Monsignor Cioffi, the spiritual moderator.

(2) A permanent headquarters located in the Rectory residence of Msgr. Cioffi, 1230 65th Street, Brooklyn 19, N. Y.

(3) A large, well-equipped hall, in which to hold the Center's Public Forums: Regina Hall, 12th Avenue and 65th Street, Brooklyn.

(4) A beautiful chapel in which the Center holds the sacred function of the Holy Hour for the conversion of the Jews. That chapel is located directly over Regina Hall.

(5) A centrally located Bureau of Information at the Ave Maria Shop, 23 Lafayette Avenue, Brooklyn, N. Y., which is

conveniently situated for those who travel by the L. I. R. R. or the city's transportation systems.

The activities include:

(1) Monthly public forums in Regina Hall on the second Thursday of each month from October to May inclusive.

(2) Monthly unit meetings in a local area held in the homes of members and at a date agreed upon by members at the previous meeting. These meetings are open to those who, because of time or inconvenience of travel, cannot attend the Center regular Forums. They also serve as a pattern of Unit Procedure for those who are interested in starting a Unit in their local area.

(3) More than eighty churches in the Brooklyn and New York Dioceses, with the express permission of the pastors, have their pamphlet racks constantly supplied with Center leaflets of information by a Center worker under the supervision of an officer in charge of diocesan distribution, who, in turn, is assisted by area supervisors.

### THE NEED FOR WORKERS

Center workers, seeking to bring knowledge and understanding to those who, although ignorant of the Center's existence, need its services, have entered many fields of endeavor. We cite, for example, the visits by the Center workers to the city public hospitals where they find many patients who are sick not only bodily, but spiritually as well. Because of their mental bewilderment owing to lack of faith in their parents' beliefs, these patients have a feeling of restraint that keeps them from obtaining the prayerful consolation they need and seek. Center workers in this field, under the supervision of competent, experienced officers have been quite successful in their attempts to bring consolation to such troubled souls and to unfold to them a vista of the true Church.

Everywhere, Center workers are needed. Just as the contents of a book are not always discernible from the title page, neither can the spiritual sufferings or needs of fellow human beings be discerned from their names, races, colors or present creeds.

Experience has proved that the work of the Center, because of the particular people it strives to serve, calls for the best efforts of zealous lay persons. It is a necessary Catholic effort that should not be left to the probably reciprocal appreciation of a convert

minority, but should have the moral and physical support of all Catholics in every walk of life.

### IN JUSTICE TO THE JEWS

Much of the social ill-will prevalent today against some of the Jews is undoubtedly due to the fact that some of our Catholic people seem to forget that Jews *are not Catholics*. It really does not make sense to have the Jews blamed for not living according to Catholic ethics when we know that they do not belong to the Faith. Let us rather prayerfully labor for their conversion which, once attained with God's grace, will make them faithful members of the Catholic Church.

In conclusion, then, we see that the Center has progressed slowly, but steadily. Each new step or idea adopted was the creature of necessity, and each such creation effected by well-formulated plans. From merely a stationary center of instruction for non-Catholics, it has expanded as a genuine missionary movement, with future possibilities of limitless scope. To date, the Center has fifty converts to its credit, which justify fifty times over the struggles and labors involved.

EDWARD L. WATT

***Brooklyn, N. Y.***

---

### SAINTS AND OTHER SPIRITUAL WRITERS

It is consoling, and perhaps, all things considered, not surprising, that the spiritual writings of the saints were much more condescending toward our low attainments and faint hearts than the writings of good men who are not saints. How often is the poor, timid, yet aspiring spirit wearied and cruelly beaten back by the hard, dry, theoretical system of some spiritual books! . . . They are ever putting before us an almost impossible detachment from creatures, a continual stress and strain of mind, a complete death of all natural activity, or else they tell us we are not in the right way. I do not say already on the mountain tops, but not even on the road. . . . How different are the writings of the saints! Even St. John of the Cross, the "doctor of nothingness," as he has been named, how sweet, encouraging, mild, hopeful, and gradual he to the lowest of us in his teaching!

—Frederick William Faber, in *All For Jesus* (Westminster, Md.: The Newman Book Shop), p. 197.

## GRIEVANCE
## PART IV

In his brief for the plaintiff, Fr. Arnold interpreted the facts of the case as showing:

(1) that the cost of living had gone up during the interval from Aug. 1, 1940 to Aug. 1, 1945 (Test. pp. 49 ff., 55 ff., 60 ff., 71 ff., 77 ff., 83 ff.);

(2) that the salary paid to the plaintiff had not gone up during that period (Test. p. 108);

(3) that the salary paid to the plaintiff during this period had not been spent foolishly (Test. pp. 7, 78, 86);

(4) that the plaintiff's salary was not sufficient for himself, his wife, and his children to live on, *i.e.* was not a "living wage" (Test. 25 ff.).

The increase in the cost of living during the period in question and the comparison thereof with the salary paid to the janitor in the same period showed, according to Fr. Arnold's computation, that the deficiency was five hundred and fifty ($550) dollars. The extra allowances for shelter, light, and heat, did not alter the foregoing picture, Fr. Arnold contended, for even despite such allowances the discrepancy still remained.

The use of the cottage for two weeks in the summer was a gratuity (Test. p. 23), Fr. Arnold pointed out. Even if it were not, he added, it involved something which belonged not to the parish, the defendant in the present suit, but to the pastor (Test. pp. 23 ff.), and it was, in consequence, not to be considered in the present case.

Fr. Arnold also took the view that work beyond the reasonable strength of the plaintiff had been imposed upon him by the pastor (Test. pp. 65, 67, 69), and that the stairs were not sufficiently safe (Test. pp. 88 ff.). The result of such an imposition of labor under such circumstances had been damage to the plaintiff which was, he contended, properly estimated at two thousand ($2000) dollars by competent medical experts (Test. pp. 46 ff., 97 ff.).

As for the damage to the property of the church, Fr. Arnold took the view that the facts were that the damage was not done through any fault of the plaintiff but was a natural and proximate consequence of the injury which the plaintiff had suffered through

the imposition of work beyond his reasonable strength (Test. pp. 44 ff., 97 ff.), wherefore he should not be held liable for it, and consequently the counterclaim should not be allowed.

The law applicable to the foregoing facts, as Fr. Arnold saw it, was Canon 1524. This, he argued, imposes the burden on employers *(debent)*, in letting out work, to assign to their workers *"honestam iustamque mercedem," i.e.,* a salary which is morally and legally just; and in no wise to impose upon them more work than is in accordance with their strength, or work of a type which is not in keeping with their age and sex.

Since this burden is on the employer, he argued, he cannot rely on the fact that the worker has agreed to do the work imposed on him, but must make certain that the other conditions are complied with, namely, that it be proportionate to the strength, age and sex of the worker. When, therefore, Fr. Wall ordered Faber to move the case of candles he should have been certain that the work was not beyond the strength of the janitor, having regard for his age and physical condition. If the janitor was injured in his attempt to comply with the orders of the pastor, the responsibility under this Canon was the pastor's, and since he was the representative of the parish in giving this order, the parish was liable for the amount which will be required to compensate for Faber's injury, *i.e.,* for the sum of two thousand ($2000) dollars.

Furthermore, he argued, since the burden is on the employer to pay a wage which is morally and legally just, he cannot take refuge in the fact that the janitor agreed to work for the sum which he actually received. In offering the salary which he did offer, the pastor, according to this Canon, should have made certain that the sum offered was actually *"honestam iustamque."* Even if it is difficult at times to estimate what will constitute a morally and legally just wage, still, the burden, under this Canon, is on the employer, so that he cannot escape on the plea that the worker agreed to work for the sum offered. Since the sum offered became in time less than what would have been a morally and legally just wage, and since the difference was at least five hundred and fifty ($550) dollars, the parish was liable because of the act of its representative in not assigning the higher wage which was called for under this Canon.

Therefore, concluded the brief of the plaintiff, the parish was

liable in the sum of two thousand five hundred and fifty ($2550) dollars.

Fathers Brockheim and Brown, in their brief for the defendant parish, pointed out that the facts were:

(1) that the janitor had freely agreed to work for the sums which were paid to him (Test. p. 9);

(2) that no unjust force was used to get him to agree to work for the sums paid (Test. p. 9);

(3) that no fraud had been worked on him to get him to agree to work for the salary which was actually paid to him (Test. p. 10);

(4) that the pastor had not insisted that the janitor should move the cases alone. He had simply insisted that the cases be moved. Faber had been perfectly free to get help if he did not want to try to move them alone. Since, therefore, he attempted to move the cases by himself, he assumed the risk of injury. If, therefore, he was injured, it was really his own fault and not that of the pastor, consequently not that of the parish (Test. p. 12).

As for the law relating to the facts developed in the hearings in the case, they pointed out that Canon 1524 does not contain a clause "irritating" *(irritans), i.e.,* making null and void a contract which does not provide *"honestam iustamque mercedem."* Consequently, by virtue of Canon 11, the contract must stand. An agreement once made is binding *"Quod semel placuit amplius displicere non potest"*[1] (Reg. 21, R.J. in VI). Furthermore, *"Scienti et consentienti non fit iniuria neque dolus"*[2] (Reg. 27, R.J. in VI), so no injury has been done to the plaintiff, since he knew what the terms of the contract were and agreed to them. They were dealing at arms' length, so to speak, when they made the agreement, so *"In pari delicto vel causa potior est condicio possidentis"*[3] (Reg. 65, R.J. in VI). The cost of living may have gone up since the contract was made, but the terms were agreed on at the time it was entered, and the fact that now the salary might have to be agreed on at a higher rate cannot be allowed to change what was

[1] What once has been agreed on can no longer be escaped.

[2] On one who knows and consents neither injury nor fraud is worked.

[3] Where the parties are equally in the wrong or make out equal cases the possessor is better off.

previously decided *"Factum legitime retractari non debet, licet casus postea eveniat, a quo non potuisset inchoari"*[4] (Reg. 73, R.J. in VI). The argument here is not whether a new contract should be made, but whether the plaintiff is entitled to recover because the old one does not suit present conditions. After all, what has been agreed, has been agreed *"Contractus ex conventione legem accipere dinoscuntur"*[5] (Reg. 85, R.J. in VI).

Furthermore, a contract can be rescinded, according to Canon 103, §2, only if the party seeking rescission was moved by grave fear unjustly inflicted, or if he was circumvented by fraud. This is also provided in Canon 1684, §1. Now, the pastor did not cause any fear which induced the janitor to enter into this contract, nor did he circumvent him by fraud. If there was any fear at all which influenced Faber in his decision it came from economic pressure, a force over which neither party had control. But the pastor should not be blamed, nor the parish charged for something for which they were not responsible *"Non debet aliquis alterius odio praegravari"*[6] (Reg. 22, R.J. in VI).

The pastor, moreover, could not tell when or how much raise to give Faber so as to assign a morally and legally fair wage, for that would require a continual and expert study of economic trends which few men, indeed, are capable of making, and on which few experts are agreed even after long study, so he should not be held liable for not making it *"Nemo potest ad impossibile obligari"*[7] (Reg. 6, R.J. in VI).

The pastor did not insist that the cases be moved by Faber alone and *"Sine culpa, nisi subsit causa, non est aliquis puniendus"*[8] (Reg. 23, R.J. in VI) so, since it was not really the pastor's fault that Faber was hurt, but rather Faber's own, the parish should not have to bear the burden. Even if the pastor had been at fault, the parish should be discharged in the present suit *"Delictum per-*

[4] That which has been done legally should not be retracted even though a case arises later from which it could not have been begun.

[5] Contracts from the agreement are known to receive their law (binding force).

[6] One should not be burdened by dislike for (the wrong of) another.

[7] No one can be bound to do the impossible.

[8] Without fault, unless there is an underlying reason, no one is to be punished.

*sonae non debet in detrimentum ecclesiae redundare"*[9] (Reg. 76, R.J. in VI).

Faber's injury was through his own assumption of the risk, his own fault *"Damnum, quod quis sua culpa sentit, sibi debet, non aliis, imputare"*[10] (Reg. 86, R.J. in VI). He has never complained before about the injury or the salary, so his silence should be construed as an admission that he was the one at fault when he was injured *"Is qui tacet non fatetur; sed nec utique negare videtur"*[11] (Reg. 44, R.J. in VI), and as consent to be bound by the contract he made *"Qui tacet, consentire videtur"*[12] (Reg. 43, R.J. in VI), since there was nothing to prevent him from saying something before the time when this suit was brought.

Since the injury was due to Faber's attempt to do something for which he had not the strength, and he should have got help in moving the cases, the damage to the property of the church at that time and subsequently in consequence of the injury to his back was really his fault and he should make restitution therefor. Now, if he has to make restitution to the parish for the damage to the property of the parish it is unfair that he should seek money from the parish, claiming that he was not paid enough, for the amount of the damage which he did is more than the amount of the salary which he claims should have been paid to him *"Dolo facit, qui petit quod restituere oportet eundem"*[13] (Reg. 59, R.J. in VI).

Even if other janitors elsewhere could be shown to have received a higher salary than that paid to Faber in this period, that should not affect the decision in this case *"Quod alicui gratiose conceditur, trahi non debet ab aliis in exemplum"*[14] (Reg. 74, R.J. in VI), *"In argumentum trahi nequeunt, quae propter necessitatem aliquando sunt concessa"*[15] (Reg. 78, R.J. in VI).

[9] The wrong of the person should not redound to the detriment of the church.

[10] Damage which one feels through his own fault he must impute to himself, not to others.

[11] He who is silent does not speak; but neither does he seem to deny.

[12] He who is silent seems to consent.

[13] He acts fraudulently, who seeks that which he ought to give back.

[14] What is granted to one as a favor, should not be taken by others as an example.

[15] Those things cannot be used as an argument which because of necessity are sometimes granted.

Since, therefore, Fathers Brockheim and Brown concluded, the case is so difficult and so obscure, and since the amount of the deficiency in the salary cannot be accurately determined and the real cause of Faber's injury was his own action, the decision should be for the defendant, by virtue of Canon 1748, §§1, 2, which states that the burden of proof is on the one who makes the assertion, and that if the plaintiff fails to prove his case the defendant is to be discharged *"Cum sint partium iura obscura, reo favendum est potius quam actori"*[16] (Reg. 11, R.J. in VI), *"In obscuris minimum est sequendum"*[17] (Reg. 30, R.J. in VI), *"Inspicimus in obscuris quod est verisimilius, vel quod plerumque fieri consuevit"*[18] (Reg. 45, R.J. in VI).

The *Promotor Justitiae,* in his brief, pointed out that by the admission of the plaintiff he had not been forced to enter the contract in 1940, but he also observed that at that time Faber had been able to live on the sums paid him. It was later on that the rising cost of living had pinched him against the unchanged ceiling of his salary. The question of force, he said, would have to be considered as of the time of the subsequent renewals of the contract, at a time when the cost of living had gone up.

He also noted that Faber had admitted that there were several "plus-money compensations" in his job, *e.g.,* self-respect, opportunity for self-expression both as to his temperament and as to his skill, steadiness and certainty of employment, comfort both mental and physical, sense of the dignity of the job. Recognition of his work on the part of the pastor, a very important "plus-money compensation," had apparently been lacking, or at least not expressed. He observed, however, that such "plus-money compensations" were not a substitute for wages.

With regard to the law applicable to the case before the court, the *Promotor Justitiae* pointed out first of all that the relationship of employer and employee is primarily one of *status,* so that contract comes into consideration only secondarily. To substantiate this position he noted first that Canon 1524 is not included in Tit.

[16] When the rights of the parties are not clear the defendant is to be favored rather than the plaintiff.

[17] In obscure points the minimum is to be followed.

[18] We look, in obscure points, for what is more likely or what usually is wont to happen.

XXIX *"De contractibus"* in the third book of the Code of Canon Law, but in Tit. XXVIII *"De bonis ecclesiasticis administrandis,"* so the lawgiver apparently did not contemplate the relationship of ecclesiastical administrators and workers as one primarily of contract but, in keeping with the traditional view, as one of somewhat different character.

This traditional view, he added, is reflected in the moralists who treat of the relationship of employer and employee in connection with the virtue of piety to which the Fourth Commandment can be reduced. They treat of contracts in general in connection with the virtue of justice to which the Seventh Commandment can be reduced. Under contracts, it is true, they treat of the "contract of hire," but there they are concerned with what, as a matter of justice, is required to be paid, one aspect of the relationship; while under the Fourth Commandment they are concerned with the other aspects, *e.g.,* health and safety measures, morals, rest on Sundays and holidays, lock-outs, and special assistance in times of need, as far as the employer is concerned. As far as the employee is concerned, they treat there of the obligation to abstain from acts which would cause damage to the employer, and to abstain from violence and unjust strikes and boycotts. Under this same Fourth Commandment they mention again the obligation of the employer to pay just wages and of the employee to observe the conditions of a just contract freely entered, re-emphasizing what is taught regarding contracts in general under the Seventh Commandment.

He pointed out, too, that there is an increasing tendency on the part of society in general to regard the relationship of employer and employee as one not merely of contract. More and more the trend of public policy is to place the burden of compensating the workman for an injury received in the course of the employment on the employer who is benefited by the employees' labor. This has been made concrete in the Workmen's Compensation Acts of the various States and in the Federal legislation on Employer's Liability. In former times there was, indeed, a tendency to consider the relationship one purely of contract, with the result that when the worker had received the agreed salary the employer was considered to have no more connection with the employee. If the latter was injured he had to bear the expense, unless he could overcome the traditional defenses of the employer: namely, that the employee had assumed the risk when he agreed to work at such

an occupation; that the employee had been damaged not by the employer, but by a fellow-servant; that even if the employer had been negligent in not providing safer working conditions, still the employee had also been negligent in his manner of acting and so his negligence had contributed to his injury, wherefore the employer should not be held liable. The Workmen's Compensation Acts, brushing aside these defenses, put the burden of caring for the injured employee on the employer, *i.e.,* on the industry, ultimately of course on the buyer of the goods or services, to whose well-being the employee had contributed.

This trend away from the pure contract idea, the *Promotor Justitiae* added, is toward an even earlier attitude which prevailed in days when a master was expected to provide food, clothing, and shelter for his servant besides giving him something to spend. It was discarded, however, when employees became so numerous that they could not all be housed by the employer. At this time the increase in manufacturing brought about an increase in labor in the homes of the various workers who got the materials from the employer, worked them over at home, and brought back the finished product to receive their pay.

Under such circumstances the worker seemed to stand in the position of a bailee for work to be done with a mechanic's lien on the goods to assure payment. He had possession of materials belonging to another which he was to improve by the addition of his labor. He was to work with ordinary skill and receive therefor a compensation agreed upon. Bargaining face to face in this way the worker seemed, superficially at least, to be on an equal footing with the one to whom he "sold" the finished product, and the ethics of the market-place seemed to fit the situation.

When it was discovered that it was cheaper to use machines housed under one roof and to bring the workers into that building for their hours of labor, allowing them to return to their homes when the day's labor was ended, the idea that the worker was a home-worker, a bailee for work to be done, was still firmly entrenched, and the pay system remained the same as it had been when he came to the employer to bring the finished product of his labor performed at home. He was still treated as a tradesman working with his own tools and bargaining on an equal footing. There was no return to the older master-servant system with the master liable for food, clothing, and shelter for those who worked

in his house. The evolution from *status* to contract which occurred when the worker began to work in his own home did not have at this time a corresponding revolution from contract to *status* when he returned to labor in the establishment and with the tools of the employer.

This master and servant relationship was similar to an even older system which prevailed under the Roman Law when the *"familia"* in the broad sense of the term consisted not alone of the *"paterfamilias"* and those of his legal family, but also of the slaves who lived in his house or on his estates, and were fed, housed, and clothed by him, because it was to his advantage to see to it that they were nourished, clothed, and housed so that they would be able to render the maximum of service to him. The development in this system was along the line of protecting the slaves from masters who were inclined to be too harsh, from being sold in such wise that their families were broken up, and along the line of allowing them to set aside some money for themselves with which they could, if they chose, purchase their freedom, or at least have some spending money of their own. Their food, clothing, and lodging were taken care of anyway, for themselves and their families, and besides that there was provision for them to have something over and above these bare essentials as a result of their industry and parsimony.

There was no thought that the master should simply hand out a sum of money and leave those whose labor enriched him to feed, clothe, and house themselves as best they might on that sum. The only handing out of money was in the shape of gifts, etc., over and above the bare essentials of life.

Were either of these systems, then, applied in the present case, the parish would certainly be liable for whatever was necessary not only to house Faber and his family, which was done in the instant case, but also for whatever was necessary for food for the family, and for their clothing, and sums of money could come into question only in the shape of gifts over and above these bare essentials. It is submitted that this approach, which is in accord with the old Roman Law, and with the early English Law, and which varies only from a more recent development of the English Law, a development which is itself beginning to be reversed in the sense of a return to the older system, is a more just one, and one more in keeping with the letter and spirit of Canon 1524.

Even if the present case were to be decided on the basis of contract alone, the contract was not freely entered into, at least as of the time of the renewals when the cost of living had risen. At this time when Faber signified his consent to be bound by the terms of the contract which was being renewed he was under economic pressure and hence not free, so the contract was of no force as one not entered freely.

The Supreme Court of the United States has said that economic pressure exercised on a farmer to make him conform to the Agricultural Adjustment Act took away his freedom to contract (United States v. Butler, 297 U. S. 1, 56 S.Ct. 312, 321, 80 L.Ed. 477, 102 A.L.R. 914). There the court said:

> The government asserts that whatever might be said against the validity of the plan, if compulsory, it is constitutionally sound because the end is accomplished by voluntary cooperation. There are two sufficient answers to the contention. The regulation is not in fact voluntary. The farmer, of course, may refuse to comply, but the price of such refusal is the loss of benefits. The amount offered is intended to be sufficient to exert pressure on him to agree to the proposed regulation. . . . This is coercion by economic pressure. The asserted power of choice is illusory.

Much the same thought was expressed by the same court in Carter v. Carter Coal Co., 298 U. S. 238, 56 S.Ct. 855, 863, 80 L.Ed. 1160, saying:

> The whole purpose of the exaction is to coerce what is called an agreement—which, of course, it is not, for it lacks the essential element of consent. One who does a thing in order to avoid a monetary penalty does not agree, he yields to compulsion precisely the same as though he did so to avoid a term in jail. . . . To accept in these circumstances is not to exercise a choice, but to surrender to force.

Following these decisions the Supreme Court of the State of Washington held that an employer who was under economic pressure in making a contract with his employees had not made a valid contract, and consequently was not bound thereby. In McDonald v. Pend Oreille Mines and Metals Co., 189 Wash. 389, 65 P2, 1250, 1255, this court said:

> Patently the employer was confronted with a boycott and with the imposition of a compulsory code if he did not sign. Under such circumstances, there was not, in fact, any power of choice. . . . The allega-

tion that one voluntarily entered into an agreement means no more and means the same thing as the allegation that he entered into an agreement. . . . Appellant and his assignees could not rely upon a promise secured from the promisor by the duress of a third person if appellant and his assignors had knowledge or were charged with knowledge of the duress. Williston on Contracts § 1625. . . . There can be no ratification while the fear or undue influence which operated to induce the original transaction is still effective. Williston on Contracts § 1623.

It is submitted that if economic pressure on the employer makes his contract with an employee invalid as not being free, then the converse should be true when there is economic pressure on the employee who makes a contract with the employer. If that is the case, then the employee has conferred benefits on the employer under a void contract, benefits which it is unfair to allow the employer to enjoy without compensating the employee therefor, since this would constitute unjust enrichment. The employee, therefore, should be able to recover the value of the services rendered on a count of *quantum meruit*. There can be no objection to following this idea of contract law in this case, even though it is being heard in the ecclesiastical court, for after all Canon 1529 provides that the points established by civil law in the territory with regard to contracts both in general and in particular, whether "named" or "innominate" and with regard to discharge thereof, the same in Canon Law, in ecclesiastical matters, and with the same effects are to be observed, unless they are contrary to the Divine Law or it is otherwise provided in the Canon Law. It is submitted that the exception is not verified in the present instance.

Should it be objected that the pressure on Faber, in the instant case came not from the parish but from outside, it should be noted that in the McDonald case, *supra,* the pressure came not from the employees, but from the government.

It is further to be noted that a nation is as strong as its supply of manpower. This supply is not merely quantitative but also qualitative. It is, therefore, in accord with public policy to make certain that the citizenry is not only numerous but also healthy, both physically and mentally, especially by removing fear of not having enough to live on and support a family, and well-fed, well-housed, and well-clad. A decision which would practically force workers to be ill-fed, ill-housed, and ill-clad, should such be the

whim of the employer, would therefore be contrary to public policy, and it is submitted that this court should not render a decision which would afford justification for such treatment of one who is dependent upon his wages for his welfare and that of his family.

When the briefs and the answers thereto had been exchanged, Fr. Arnold, and Fathers Brockheim and Brown requested that they be allowed to argue certain points[19] before the Tribunal.[20] The *Vice-officialis* allowed the discussion, after he had examined the points submitted in writing and had found that the result would not be a mere re-hash of what he already knew on the law and the facts.[21] The Notary with his stenotypist attended this session, too, to take down whatever the judge might order him to record.[22] When the discussion was finished and the *Vice-officialis* had obtained answers to the questions which he had put to the attorneys and the *Promotor Justitiae,* who was also present, he announced that he would pronounce the sentence in the case ten days later[23] and adjourned the session.

On the appointed day Faber and Fr. Arnold, Fr. Wall and Fathers Brockheim and Brown, the *Promotor Justitiae,* and the Notary were all present in court when the *Vice-officialis* opened the session and began to read his definitive sentence[24] in the case.[25]

*"In nomine Domini . . .,"* began the judge.[26] He then named the Tribunal of the Diocese of ——, the plaintiff, the defendant, their attorneys-at-law and -in-fact, giving their addresses as well for further identification, and the *Promotor Justitiae.*[27]

Under the heading *"In facto"* he summarized briefly the facts in the case and the conclusions drawn by each side therefrom in their briefs, *supra.*[28]

Weighing the proofs adduced by the parties[29] he found that:

(a) It was conceded by the plaintiff that: (1) no fraud was used to induce him to work for the sums actually paid to him; (2) in addition to the sums paid to him as salary he received the use of a house belonging to the parish of St. Mary free of charge, together with lights, and heat.

(b) It was conceded by the defendant that: (1) the cottage

[19] Cf. Can. 1866, §3.
[20] Cf. Can. 1866, §2.
[21] Cf. Can. 1866, §1.
[22] Cf. Can. 1866, §4.
[23] Cf. Can. 1870; 1877.
[24] Cf. Can. 1868, §1.
[25] Cf. Can. 1872.
[26] Cf. Can. 1874, §1.
[27] Cf. Can. 1874, §2.
[28] Cf. Can. 1874, §3.
[29] Cf. Can. 1869, §3.

was to be considered a mere gratuity in addition to any compensation contemplated in the contract of hire; (2) the matter of value of use of the cottage was immaterial to the case.

(c) It was proved by two or more unimpeachable witnesses[30] that: (1) Faber had received less than a "family wage" in the period, Aug. 1, 1940 to Aug. 1, 1945; (2) the value of the use of the house, together with lights and heat, did not constitute such an addition to the sums actually received as to amount to the extra compensation contended for; (3) even adding the value of the said use of the said house, together with lights and heat, to the sums actually received, the plaintiff was still injured to the extent of five hundred and fifty ($550) dollars; (4) work beyond his reasonable strength was imposed upon the plaintiff; (5) by the imposition of such work the plaintiff was damaged in the sum of two thousand ($2000) dollars for medical expense, past and future, pain and suffering, etc.

(d) It was demonstrable by simple arithmetic that the amount of the deficiency in salary was five hundred and fifty ($550) dollars.

(e) It was shown by argumentation that: (1) the plaintiff had not freely agreed to work for the sums actually paid to him, at least as regarded the renewals of the contract, for he could not afford to lose the job; (2) the plaintiff was unjustly forced by economic pressure, since he could not take other work as his predecessors had, to agree to work for the sums paid on such renewals; (3) the janitor did not negligently damage property of the parish of St. Mary; (4) an answer to the fourteenth point of the issues was unnecessary in view of the foregoing.

He then read his answers to the issues of the case:[31] (1) *affirmative;* (2) *affirmative;* (3) *affirmative;* (4) *affirmative;* (5) *negative;* (6) *affirmative;* (7) *negative;* (8) *affirmative;* (9) unnecessary; (10) *affirmative;* (11) *affirmative;* (12) *affirmative;* (13) *negative;* (14) unnecessary.

Under the heading *"In iure"* he found that Canon 1524 placed the burden on the employer to assign to his employees a wage which would be morally and legally just, and that the arguments of the defense on the basis of contract were of no avail since the

[30] Cf. Can. 1791, §2.

[31] Cf. *The American Ecclesiastical Review*, CXIII, 5 (Nov. 1945), 356 f.

relationship between employer and employee was primarily one of *status* and only secondarily one of contract. In this connection he observed that traditionally, except for the relatively short period from the eighteenth to the twentieth centuries, the idea was that one who worked for another should receive from the one for whom he worked food, clothing, and shelter before any question should arise with regard to a sum to be paid to him. He further held that as a matter of public policy he must encourage all that would assure his fellow-citizens of a decent living. If this was to be procured through wages, he was in favor of a "living wage" for the worker and his family. What that would amount to in other cases he would not say, but here, despite attempts by Faber's family to make ends meet on it, the wage paid had not been a "living wage," in his opinion. Of all this the *Vice-officialis* declared himself morally certain.[32]

In the directive part of the sentence[33] he determined that the defendant should pay to the plaintiff the sum of two thousand five hundred and fifty ($2550) dollars. For the future, he suggested, the pastor should determine the salary from time to time, presumably at the end of each pay-period when the agreement was at least tacitly renewed, up or down in accordance with the changing economic conditions. He ordered that the pastor should abstain in the future from imposing upon the plaintiff work beyond his physical capacity.[34] All this, he said, he based on the foregoing facts and law.[35] He further taxed the costs on the defendant.[36]

The *Vice-officialis,* in this same opinion, decided the prejudicial question raised by the *Promotor Justitiae* regarding the ability of the parish to pay the salary for which the plaintiff contended. He held that it was proved from the documents submitted, in accordance with the finding of the expert appointed by the court, that the parish was able to pay so that the prejudicial question was to be decided in favor of the plaintiff and against the parish.

At this time he also ordered the *sequester* discharged and so notified, assigning the compensation to be paid to him.

At the end of the sentence the *Vice-officialis* read the customary closing words, *i.e.,* that the sentence was given at the seat of the Tribunal in the city of —— on the twenty-fifth day of September,

[32] Cf. Can. 1869, §§1, 4.
[33] Cf. Can. 1874, §4.
[34] Cf. Can. 1873, §1, 2°.
[35] Cf. Can. 1873, §1, 3°.
[36] Cf. Can. 1873, §1, 4°.

1945, under which clause appeared his signature with that of the Notary.[37]

Hardly had the *Vice-officialis* finished reading his decision when Fr. Wall rose to announce that he was appealing on behalf of the parish against the sentence as being contrary to the facts and the law.[38] He added that it was his intention to appeal not only against the sentence but also against the interlocutory decree on the ability of the parish to pay, which had been included in the sentence.[39] The Notary recorded all this.[40] In answer, the *Vice-officialis* remarked only that the appeal would have to be prosecuted within one month from that day.[41]

The record of the case was already prepared in the copies made by the stenotypists and authenticated by the Notary,[42] together with the docket-file[43] for an index. The *Vice-officialis,* therefore, announced that the Tribunal would, in accordance with the appeal of the defendant, immediately transmit to the Tribunal of the Archbishop of that Province[44] an authentic copy of the record.[45] The notes which the Notary had taken all through the trial were in this record to give the court of appeal as accurate a picture of what had taken place in the court of first instance as possible.

As the parties and their attorneys left the court-room, Faber caught up with the *Promotor Justitiae* as he went down the corridor to his office. Somewhat apologetically Faber asked, "Father, do you think it is fair that I should give Fr. Arnold half of whatever I get out of this suit? Of course, he deserves something for all the work he has put in, but I won't have much left if I give him half, and the doctors said it would take about two thousand dollars for the operation. If I give him half I won't have enough left to get my back fixed."

"I thought you were to have gratuitous patronage in this case."

"That's what they said, Father, but Fr. Arnold had me sign a paper before he turned in the first papers, and now he says he has a contract with me for a part of the proceeds and he should have half."

[37] Cf. Can. 1874, §5.
[38] Cf. Can. 1879; 1881.
[39] Cf. Can. 1880, 6°.
[40] Cf. Can. 1882, §1.
[41] Cf. Can. 1883.
[42] Cf. Can. 1642-1644.
[43] Cf. *AER,* CXIV, 2 (Feb. 1945), 133 ff.
[44] Cf. Can. 1594, §1.
[45] Cf. Can. 1890.

"Will you let me think this over? Don't pay him anything 'till you hear from me."

"Okay, Father, I won't."

The *Promotor Justitiae* did not stop at his own office, but went on down the hall to that of the *Vice-officialis*. Greeting the judge, the *Promotor* picked up the copy of the Code which lay on his desk, flipped to Canon 1665 and began to read: *"Vetatur uterque emere litem, aut sibi de immodico emolumento vel rei litigiosae parte vindicata pacisci. Quae si fecerint, nulla est pactio, et a iudice vel ab Ordinario poterunt poena pecuniaria mulctari; advocatus praeterea tum ab officio suspendi, tum etiam, si recidivus sit, destitui et titulo privari."*

"So you read Latin," observed the *Vice-officialis*.

"Fr. Arnold wants half of what you have awarded to Faber."

"But he was ordered to serve gratuitously!"

"So we teach him a lesson?"

"We do."

In the court of appeal, of course, the only question was whether the former sentence should be affirmed, or reformed either wholly or in part.[46] The make-up and procedure of this court was the same as that outlined thus far.[47]

THOMAS OWEN MARTIN

*The Catholic University of America,*
*Washington, D. C.*

[46] Cf. Can. 1891, §1.
[47] Cf. Can. 1595.

---

CATHOLICISM AND A PHILOSOPHY OF LIFE

And if—as I believe—her [the Catholic Church's] teaching is impregnable whether by metaphysical or physical science, that teaching, as it appears to me, has the promise of the future. I do not see how any adequate life philosophy can be framed apart from the great spiritual truths that she maintains: truths founded, as I hold, in the Eternal Consciousness of which Christ is the image to mankind: truths which supremely enforce and illuminate the moral significance of life, so greatly obscured in an age when material civilization dominates ethical civilization, and interests triumph over principles.

—William Samuel Lilly, *The Claims of Christianity* (London: Chapman and Hall, Ltd., 1894), pp. 234 f.

# Answers to Questions

## CORRESPONDENCE BETWEEN MASS AND OFFICE

*Question:* Is it not true that the Church wishes the Mass and the Office to correspond, in fact, that the Office should be a setting for the Mass? Why, then, must we follow the Ordo of the place where Mass is celebrated when we have to recite the Breviary of the place to which we are attached?

*Answer:* It is indeed true that, *caeteris paribus,* Mass and Office should correspond, but the Church recognizes many instances in which this is not observed. Requiem Masses and Votive Masses provide frequent, and authorized, lack of correspondence between Mass and Breviary. The Missal (Tit. IV, 6 of *Additiones et Variationes, etc.*) directs that priests are to follow the calendar of the church or oratory, public or semi-public, for the celebration of Mass, even though it does not agree with the Ordo according to which they are saying the Office of the day. In private oratories, however, the Mass conforms to the Office of the celebrant. The *Codex Juris* (Canons 239, 349) gives to Cardinals and extends to Bishops the privilege of following their own calendar for Office and Mass, wherever the Mass is celebrated. Priests who have the personal indult to recite the Divine Office according to the calendar of the Eternal City must follow the local Ordo for the celebration of Mass. As to the reason for this adherence to the local calendar, when it involves saying Mass that is not of the Office which the celebrant is reciting that day, it is evidently in the interests of uniformity in the place of celebration. Constant correspondence between Office and Mass contemplates priests of a non-peregrinatious character.

## A THANKSGIVING PROCESSION AT THE FORTY HOURS

*Question:* Can the procession at the close of the Forty Hours' Devotion be made a procession of thanksgiving? If so, where would the *Te Deum* be sung? If during the procession, what place

should be given to the special versicles and responses which are added to the *Te Deum* on occasions of thanksgiving?

*Answer:* The *Pange lingua* is the only hymn which is *de rigeur* for the procession at the opening or the close of the Forty Hours' Devotion. It is the only hymn to which reference is made in the *Instructio Clementina.* However, since the Ritual (Tit. IX, Cap. 6) in its directions for the procession of the Blessed Sacrament on the feast of Corpus Christi allows hymns, including the *Te Deum,* to be added to the always-required *Pange lingua,* of which the *Tantum ergo* is to be said on the return of the procession to the altar, there seems to be nothing incongrous in singing the *Te Deum* during the processions on the occasion of the Forty Hours. The difficulty would be the versicles and responses proper for times of thanksgiving. The Ritual (Tit. IX, Cap. 13) gives the order for processions of thanksgiving but the Blessed Sacrament is not carried in them. In these processions, the *Te Deum* is sung at the beginning, followed by psalms and canticles, the versicles referred to above being said at the conclusion of the procession.

In the case proposed by our correspondent, we should sing the *Te Deum* with the versicles and responses, *after* the procession and the Litanies, at the opening of the Forty Hours, or *before* the Litanies and the procession, at the closing ceremonies. In both cases, the hymn of thanksgiving and its concluding supplications would be chanted *coram sanctissimo,* though not during the procession.

## THE TONE OF THE PREFACE ON HOLY THURSDAY

*Question:* Should not the Preface of the Mass on Holy Thursday be sung in the ferial tone? Holy Thursday is a *feria,* although a major and privileged one, and so it would seem proper that the Preface should be chanted as on ferials.

*Answer:* Although Holy Thursday has as its official title, *Feria Quinta in Coena Domini,* it ranks in the calendar, not with the major and privileged ferias, but with the feasts which are *duplicia primae classis primaria,* as will be seen on consulting the list at the beginning of the Breviary. The ferial tone for the Preface, according to the rubric of the Missal found under the caption *Praefationes in Cantu Feriali,* in the *Ordo Missae,* is to be used in Masses which are of simple rite and in private Votive Masses.

Therefore, it is the solemn chant of the Preface of the Holy Cross which is prescribed for the Mass of Holy Thursday. It is true that Good Friday is likewise classed as a *duplex primae classis* and yet the *Pater noster* of the Mass of the Presanctified is sung in the ferial tone but this is a special case with the notes provided in the place where the Lord's Prayer is to be sung.

WILLIAM J. LALLOU

---

## CAN A DEBT BE OUTLAWED?

*Question:* Can a person ever regard his debts as outlawed by the civil statute of limitation, so that he is free from them in conscience?

*Answer:* Certain debts are of such a nature that by custom and common consent the debtor is not considered bound to pay until he receives a bill from the creditor. Such, for example, are the debts owed to a lawyer or doctor for professional services. If a creditor to such a debt fails to send his bill within the time stipulated by law (for example, two or three years), but subsequently attempts to collect the money, the debtor could with a safe conscience avail himself of the legal prescription and refuse to pay the bill. For the intent of the civil law in passing the statute of limitations for such a case seems to be the extinction of the debt by prescription; and, according to Catholic moral principles, prescription endowed with the requisite conditions gives a valid title to acquisition of goods or to release from an obligation. In this case the "good faith" required of the debtor can be merely negative, consisting only in the fact that he does nothing to prevent the creditor from transmitting his bill. Thus, good faith would not be present if the debtor changed his address so that the creditor could not find him. This same principle of prescription can be applied to a debt arising from damages, provided there was no moral guilt on the part of the one inflicting the damage. If the injured party does not take legal action within the time stipulated by law, the one who (inculpably) injured him may refuse to make any recompense—provided, again, he did not prevent the inauguration of a suit.

In the case of an ordinary debt—a personal loan, a bill sent by a tradesman—the statute of limitation could be invoked only in the supposition that a considerable length of time has passed since the

debt was contracted and there has been positive good faith on the part of the debtor. It would seem that a period of ten years would suffice, as long as the civil law permits this period or less; and some theologians allow as little as three years, where this has been determined by the law (Cf. Noldin, *Summa Theologiae Moralis* [Innsbruch, 1938], II, n. 407). But the chief emphasis must be placed on the need of positive good faith in the debtor—a condition which is seldom present in the case of a debtor such as we are considering. It means that he is ignorant of the debt or does not avert to it during the entire period. This could take place in the case of a man who has inherited his father's estate, without realizing that it is burdened with a debt. It might even take place in the case of one who contracted a debt, and then entirely forgot it for many years. But in the case of an ordinary bill, which the debtor remembers, no length of time will free him from the obligation of payment, even though the creditor, after making the loan or sending the bill, never repeats his demand for payment or attempts to dun the debtor.

## NITROGLYCERIN TABLETS AND THE EUCHARISTIC FAST

*Question:* Does a nitroglycerin tablet, taken to cure or to ward off a heart-attack, break the eucharistic fast?

*Answer:* It would seem that such a tablet, taken according to prescriptions, does not break the eucharistic fast. For, when the tablet is placed under the tongue and there dissolved, the nitroglycerin is completely absorbed through the mucous membrane of the mouth, so that none of the medication is swallowed—except perhaps a minute quantity, *per modum salivae*. Such, at least, is the testimony of competent medical authorities. Accordingly, the tablet would not be taken *per modum cibi vel potus,* and hence could be employed lawfully before the celebration of Mass or the reception of Holy Communion.

## PLURALITY OF BENEFICES?

*Question:* Would it be contrary to the law forbidding a cleric to retain several incompatible benefices (Canon 1439) if a priest, besides receiving his salary as a pastor, would also receive a salary as a professor in a college or as director of a diocesan charity organization?

*Answer:* The prohibition in question would not apply to this case, since the offices with which the problem is concerned, a professorship and a directorship in a charity organization, are not benefices in the canonical sense. Hence, a pastor could lawfully derive revenue from such sources (and it could be added to his *bona patrimonialia*), even though he is also receiving revenue from his benefice as pastor. Of course, we are supposing that the exercise of the additional function does not interfere with the performance of his parochial duties to a substantial degree; for in that event he would be guilty of a violation of commutative justice toward the faithful committed to his care.

## IS THE INDULGENCE GAINED?

*Question:* When a person wishes to gain several *toties quoties* indulgences by several distinct visits to a church—as on All Soul's Day—is it sufficient to pass from the body of the church into the vestibule, or must he go out from the edifice entirely, in order to make the visits distinct?

*Answer:* Theologians are wont to regard the vestibule as outside the church when interpreting onerous legislation, but as a part of the church when there is question of a favor. Thus, when discussing the violation of a church by the commission of certain crimes (Canon 1172) they say the vestibule is not to be considered as a portion of the sacred building; when commenting on the right of asylum (Canon 1179), they extend this privilege of immunity to the vestibule (Cf. Merkelbach, *Summa Theologiae Moralis* [Paris, 1940], II, n. 805; Prümmer, *Manuale Theologiae Moralis* [Fribourg Brisg., 1936], II, n. 550). Accordingly, it is not certain in which sense the vestibule should be regarded when there is question of gaining *toties quoties* indulgences as described by our correspondent. Theoretically, the more liberal interpretation, which would designate the vestibule as outside the church, would seem more probable but it would certainly be advisable for those anxious to fulfill all the conditions for gaining the precious treasures of plenary indulgences to leave the church entirely, at least for a few moments, between the visits.

FRANCIS J. CONNELL, C.SS.R.

# Book Reviews

THE IDEA OF A CATHOLIC COLLEGE. By John Julian Ryan. New York: Sheed and Ward, 1945. Pp. viii + 135. $2.00.

The good sense which the author shows throughout most of this short book prompts him to begin it with the plea that he be taken at face value and be heard to the end. Having taught in three American colleges, after a short career in the American business world, he knows thoroughly the need of such a plea. For he is advocating that a college—in this case the American Catholic college—live up completely to its label. And so like the Socrates of the *Republic* he has premonitions of being accused of paradox.

In his anxiety to assure us that he is not writing an escape piece he insists no less than four times in his first three pages that he is offering us a blue-print—something whereby we may found, if we will, "a wholly Catholic college" or at least test the effective Catholicism of colleges already established. He states the aims of such a college, as he conceives it, describes the student whom it will be called upon to form, and then devotes no less than a fifth of the book to ruthlessly drawing inferences as to the outlines of the curriculum imposed by these aims and by the student who is to be their object. He expects, in fact he hopes, to be attacked for his proposals and therefore strives from the first to be understood.

For a work which is so promptly and so courageously specific about details there are some curious omissions and postponements. It gives an elaborate account, for instance, of what a wholly Christian life means in terms of daily living in our country. It is eloquent and wide-reaching in its assault upon the heresy of success and on some other unconscious errors to which American Catholics are prone, but it fails—despite the American and the Catholic American story of the last fifteen years—to mention the bigotry of racism as expressed against the Negro and the Jew. Again the reader must find out for himself that the more numerous and academically better half of the American Catholic college—the Catholic college for women—is being systematically ignored. In the light of the author's remarks about courtship on pp. 55 f. it is probably better that the book be as exclusive as a lodge of Elks, but the reader, if not woman-kind would be helped by a forewarning. Again, at the beginning of the essay the reader is assured that the "blue-print" is drawn for the "normal," not the exceptional

American college. But if he is familiar with the college entrance problems in this country, he is bound to conclude before he is halfway through the volume—again solely by inferences of his own—that the program of studies described there is meant only for the institution which is exceptional in its entrance policies, even apart from the item that Mr. Ryan's freshman is to enter after only two years of high school preparation. There are to be no students by transfer in this college, no veterans returning from the wars, no candidates for the priesthood. Mr. Ryan is perfectly within his rights to set his entrance standards but he owes it to himself as well as to the reader to be as detailed and specific about them at the opening of his essay as he is detailed and specific about so much else, for these and other omissions and postponements put a burden on the reader of professional educational background who, if not forewarned on such details, begins to worry about them, and—since he may be shocked out of his orthodox senses by Mr. Ryan's curricular proposals, in any event—may abandon the book in disgust when he could read it with great profit.

The curriculum proposed—so much at variance with present-day practices and therefore worth consideration on that score alone—has as clear a title to a hearing as has any other program drawn logically from carefully considered premises. It is no more radical than are some other programs which have won considerable financial support. Whatever will be said against it, it remains permanently valuable as a protreptic in focussing the minds of Catholic educators on some of the implications of a Catholic education. But innovators have a hard time in this world and should therefore be meticulously careful about the small points that men too small to appreciate their larger purposes will seize upon, if given half a chance. And Mr. Ryan gives them their chance more than once. Among the listings of the sophomore program on p. 27, for example, is the item "Greek: New Testament in the original." A critic determined to be disagreeable could begin to look for trouble on the basis of this wording and his malice would be rewarded on pp. 39 f. For Mr. Ryan's sophomore, we are there told, is to master "the Koine Greek" in the course of his New Testament readings and is to be given commentaries by the Greek Fathers towards the end of the year. If he could "master" the Koine in one year—and he could not—where would he find these commentaries towards the end of the year and what would he do with them, once he had secured them, since they are not written in Koine Greek? Again, like Plato's Socrates, Mr. Ryan is not above purging, and on p. 47 he would purge his junior of "evolutionism" during the course in biology. The word is unfortunate since the suffix can suggest that evolution is a dogma among biologists. In any case it deserves an explanatory footnote, for

it can be interpreted as a call to arms against the only working hypothesis of current biological science. Vague and careless phrasing of this sort, which is to be found quite frequently in the first half of an otherwise well-written book, is to be regretted chiefly because it may blind the captious to the book's merits.

J. M. CAMPBELL

PHILOSOPHY FOR THE LAYMAN. By Fr. Aegidius Doolan, O.P., S.T.M. Dublin: Irish Rosary Office, 1945. Pp. xi + 241. $2.50.

The "layman" for whom this book is intended is the man-in-the-street, who has never been formally trained in philosophy. Most of the chapters, however, would probably serve just as well as a refresher for those who have followed elementary courses in colleges or seminaries, without later professional specialization.

The subject-matter is not the whole of philosophy, but merely the main theses of the philosophy of nature, especially of psychology, with some brief treatment of the fundamental principles of morality that follow from the understanding of the nature of man. Saint Thomas is taken as principal, in fact, as exclusive guide; and an introductory chapter, one of the best-written in the book, shows that the main general characteristic of the Saint's philosophy was his effort to find and manifest the *order* in the universe. There can be order only if there is diversity among things, and the failure of many philosophers to discover the proper order in reality arises from their inability or unwillingness to admit distinctions between the mind that knows and the object known, between the concrete, sensible aspects of bodily things and their ultimate natures, between one species of being and another, between means and ends, and between pleasure and happiness. In his successive chapters on Monism, Scientism, Evolutionism, Mechanism, Hedonism and other perversions of thought, Fr. Doolan clearly and succinctly establishes the distinctions which their proponents overlook or deny.

This method of treatment aptly illustrates the perfect concordance of Thomism with common sense, whose convictions the perennial philosophy critically establishes and profoundly penetrates. It also serves to impress on the reader the importance and consequence of speculative questions that at first may seem aloof from life, such as the mode of union between soul and body, the kind of distinction between the soul and its faculties, and the passivity of the created intellect.

Frequently, the author begins with a proposition or definition from St. Thomas or Aristotle, and then goes on to establish it. Perhaps it would have been more effective to build up the problems out of the

facts the reader has observed in everyday life, and then to enucleate or recall the necessary principles, and make the reader see how consistently and necessarily the conclusions follow. There is an excellent explanation of the doctrine of matter and form (pp. 35 ff.), and the soul is well explained in terms of substantial form; but a beginner can hardly be expected to make much out of the designation of the soul as "the first act" of a physical, organic body (p. 65) when no previous notion of the key-doctrine of actuality-potentiality has been given, and only a brief and inadequate indication of the meanings of the terms is given afterward. In the discussion of the agent-intellect, the uninitiate may be only confused by being told that man has two intellects; for the word "intellect" suggests to most readers a formally cognoscitive faculty, and even the author's warning that there is but one understanding might not make the important but profound distinction between the two faculties sufficiently clear. As a general rule, however, clarity and precision of expression match the solidity of doctrine.

Now available in American Catholic bookstores, *Philosophy for the Layman* would be a worthy addition to every clerical library. It provides, at least in large part, the purely rational foundations of the Catholic interpretation of life, an exposition of which is often sought by thoughtful and educated laity, Catholic and non-Catholic alike. It should also serve to stimulate and direct a priest's own interest in fundamental questions whose solutions he sometimes takes too much for granted.

JOSEPH M. COLLERAN, C.SS.R.

THE NATURE AND TREATMENT OF MENTAL DISORDERS. By Dom Thomas V. Moore, O.S.B. New York: Grune and Stratton, 1944. Pp. vii + 312. $4.00.

Dom Thomas Verner Moore in *The Nature and Treatment of Mental Disorders* has again written a highly informative and carefully considered book on that branch of the science of psychology called psychiatry. Not only the social worker and nurse, the student, doctor, psychiatrist and psychologist, but the intelligent patient and lay reader will find that this book reads "better" than a good novel, as now and then a factual book can and does.

From the foreword by Dr. Edward A. Strecker in which he says, "From the reservoir of his rich clinical experience, Dr. Moore has presented in this volume a very useful treatise on clinical psychiatry," through the appendix which gives a classification and careful definition of the clinical facts of psychiatry, followed by an Index of Authors and an Index of Subjects, this book is full of interesting facts, of science

theoretical and applied, and of common sense applied and thus tested, illustrated fully by stories of pertinent cases. The purpose of this book is to further our understanding of mental disorders and to illustrate a variety of means of meeting the numerous problems with which the psychiatrist is called upon to deal.

In Part I, entitled Psychopathology, Fr. Moore gives a general description and definition of what constitutes Mental Disorder, an account of the various types of disorder, more than touching on the conceptions of Freud, Jung, Alfred Adler and others. Here are discussed those mental conditions which give rise to physical or mental disorders, the emotional origin of organic conditions, the emotional origin of mental disorders and the origin and course of some common phobias. Here also is discussed the possible part infantile sexuality has to play in the early beginning of mental disorders. Interesting case problems are generously used to support or discredit the theories and concepts advanced.

Part II, entitled Therapy by Psychological Analysis, discusses free association and dream analysis, and discarded or successful means of applied therapy. Illustrating this theory and method of treatment Dom Moore tells the long and absorbingly interesting story of a male patient whose "predominant symptom as presented at the first interview was a fear of going out alone and of being alone even in his own home." By association and analysis of dreams and digging into the past there was brought to light for curative practices the factors that contributed to this patient's numerous and incapacitating difficulties, including a father complex and the inability to live in harmony with the woman he had married, in spite of the fact that she was doing all that a helpmate should do. As a practising psychiatrist this reviewer must express his admiration of the way in which Fr. Moore takes from Freudian and modern psychology that which is good and not contrary to the Divine Plan of eternal and irrevocable verities and unimpassionedly rejects that which is bad because it is not in accord with that same Divine Plan.

Part III, entitled Miscellaneous Techniques, treats of mental disorders caused by organic conditions, neuroses associated with thyroid disorders, heart condition and neurotic personality, reorganization of the patients' lives, mental difficulties engendered by problems of married life, the treatment of family problems, imaginatively sub-titled by Dom Moore, "The Family Romance," the unwanted child, the neurotic dependent, play therapy for the unruly or misunderstood child, and therapy applied by reorganization of the family life. Therapy by improved educational methods, therapy by selected books, hysterical disability in children, diagnoses and cures, as well, are also thoroughly and carefully covered in this section and illustrated by case histories.

Part IV, entitled Organic Emotional Disorders, covers the physiology of the emotions and the treatment of mental disorders by pharmacology and is illustrated by clinical abstracts.

Interesting also in the face of the world's conflict between the advantages of chaste and moral living in the realm of the physical and the pseudo advantages of the full play of the libido in sexual matters are Dom Moore's statistics, on p. 87, of the insanity rates and percentage of psychoneurotic conditions of priests and nuns, a statistical thumbnail sketch of the benefits and happiness of the celibate life of which lives of continence and chastity in the married and single states are approximates.

This honest, careful, thorough survey of mental conditions and their cure should be placed very high on a list of worthwhile reading.

RAYMOND J. DUFFY, M.D.

WE OFFER THEE. By John P. Delaney, S.J. New York: The America Press, 1945. Pp. xiv + 178. $2.50.

Readers of *America* will be gratified to learn that the weekly sermonettes by J. P. Delaney, S.J., which were an ordinary feature of that Review during 1943-44, have now appeared in a very attractive book form. The title of the book and the decoration of its jacket express very clearly the *leitmotiv* of practically every chapter of this work. The book consists of a foreword and fifty-nine short sermons on the Sunday Gospels or Epistles. These sermons, or reflections, are often a brief commentary on the sacred text; more often the Gospel and the Epistle are only a starting point for instructions on the liturgy of the Mass, ending with a practical and timely application. The style is clear and forceful, the message itself inspiring and such that the average reader or audience can easily understand. The book has no index but the variety of subjects treated is readily enough surmised from the titles affixed to each sermon, such as: Lift Up Your Heart; His Name; Christlikeness; The Beauty of Life; Ask Politely; Don't Be Smug; Personality; Joy in Death, etc.

We do not agree with Fr. Delaney's translation of those few words of the Canon of the Mass reported on p. 148: "In one of the prayers of the Mass, we refer to ourselves as *nos servi tui sed et plebs tua sancta,* (we who are both Thy slaves and Thy holy People.) We are in all humility and justice slaves." The exact translation is: "We thy servants, as also thy holy people." By "servants" are meant the officiating clergy, and by "holy people" the Christian congregation. This, however, does not detract from the merit and the usefulness of the book.

We recommend it not only to priests but to Catholic people in general as an inspiring spiritual reading especially on Sundays and principal feast days of our Lord.

PASCAL P. PARENTE

THE MAKING OF EUROPE. By Christopher Dawson. New York: Sheed and Ward, 1945. Pp. xxiv + 317. $3.00.

A debt of gratitude is due to Sheed and Ward for the reprinting of Christopher Dawson's noted work, *The Making of Europe*. It appears in a very attractive format, together with the plates and maps that add so much to the work.

*The Making of Europe*, or the Introduction to the History of European Unity, is divided into three main parts: The Foundations, The Ascendancy of the East, and The Foundations of Western Christendom. A thorough study is made of the Foundations, namely, the Roman Empire, the Catholic Church, and the Barbarians. The burden of the book is concerned with the period from the fourth to the eleventh century. These centuries are best characterized not as the "Dark Ages," but ages of creation and birth—ages that saw the *Making of Europe* and that gave birth to European Unity. This European Unity was an actuality, but it was a unity resulting from manifold sources and complex elements; and it is in these pages that Mr. Dawson allows us to see the ramified factors fusing into an organic European unity.

*The Making of Europe* is a remarkable book. It is one which could be written only after prolonged study and judicious research. It presents not so much an accumulation of historical facts as a deep, penetrating analysis of the culture and movements underlying these myriad factual happenings. Mr. Dawson writes with a wide horizon in view, thus preventing his readers from falling into historical myopia whereby Europe is regarded solely as the product of the West. Consequently, the chapters on Byzantine culture, nationalism in the East, and Islamic culture are very significant, both for their importance in themselves, and for the part they played in the *Making of Europe*.

In an ecclesiastical review it is only fitting to stress matters ecclesiastical. One cannot help but be impressed with the tremendous part played by the Church in the great process of the Making of Europe. Throughout the book one is constantly coming face to face with the work of the Catholic Church and its influence on the moral, ethical, social, political, and cultural trends of thought. A look at the index sufficies to show that the heading under "Catholic Church" is by far the largest of all. Again, theological questions take on a deeper significance because they are studied in the light of their political, social and national background. One sees ever so much more clearly

the full implications of post-Chalcedonian theological trends by reason of the revival of subject nationalities in the East.

This reprint of the *Making of Europe* appears at a time when there is so much talk of the re-making of Europe. Just as the Catholic Church played a leading, dominating rôle in the making of Europe, so, too, it can have an equally important part in the re-making of Europe by its message of universal charity and justice, by its teaching on the nature and destiny of man and the inherent rights of the person, and by its insistence on the all-embracing and tremendously-important doctrine of the "primacy of the spiritual."

ALFRED C. RUSH, C.SS.R.

OURSELVES, INC.; THE STORY OF CONSUMER FREE ENTERPRISE. By Rev. Leo R. Ward, C.S.C. New York and London: Harper and Brothers, 1945. Pp. x + 236. $2.50.

This book is essentially a first-hand account of the co-operative movement in the Middle West from Ohio to Iowa and north to Minnesota with enough about co-operation in the rest of the world to give the proper setting. Fr. Ward travels from town to town, rubs shoulders with people, engages them in conversation, and records what he sees and hears. In a vivid style he describes the every day routine of the co-ops and sets down the comments (often in broken English) of the people who have had experience in the movement.

Out of this narrative two things emerge. The first is "the charter and gospel of co-operation," the set of principles discovered by the Rochdale weavers in England just over a century ago. The principles are (1) one member, one vote, (2) no profits, but patronage dividends instead, (3) open membership, (4) neutrality in race, religion, and politics, (5) trading for cash, (6) limited interest on capital, and (7) unceasing education for members. Fr. Ward shows by abundant illustration that co-operatives succeed when they are faithful to these principles, and fail (socially or financially or both) when they neglect them.

The second main thought of the book is the social significance of the co-operative movement. Here is at least a partial answer to the economic question which avoids the Scylla of greedy capitalism and the Charybdis of collectivism. Nor is the significance of co-operation exclusively economic. Even more important in the long run is its psychological effect. Men learn to take the initiative, to do things for themselves, instead of waiting passively for Washington to solve their problems. Even a modest co-operative venture teaches this lesson and it also teaches the members to work *with* one another instead of *against* one another, an idea which is all too unfamiliar in our highly competitive society. No one can read the book without being impressed by the social importance of the co-ops.

Fr. Ward writes in a nervous, perhaps rather jerky, style which seems to reflect his own impatient enthusiasm as he hurries from co-op town to co-op town. There is a certain air of excitement throughout the book. Some readers may wish that the presentation had been more reflective and systematic. Yet the style itself does bring out something of the enthusiasm of a promising and growing movement. However the reader may feel about this matter of style, he cannot but be grateful to the author for a sane, intelligent, and most instructive account of a highly important program of economic and social amelioration.

PAUL HANLY FURFEY

---

THE PLAN OF APOLOGETICS

The Divine Wisdom, which knows all things perfectly, has deigned to reveal to men the secrets of divine wisdom. It has shown its own presence and the truth of its doctrine and inspiration by forceful demonstration when it visibly shows forth works which surpass the entire competence of nature in order to confirm the truths which are outside the sphere of natural knowledge. It does this in the wondrous cure of the sick, in the raising of the dead, in the marvellous changing of heavenly bodies, and in what is still more admirable, in the inspiration of human minds, in such a way that unlearned men of mediocre intelligence instantly attain to the highest wisdom and eloquence when they are filled with the gift of the Holy Ghost.

—St. Thomas Aquinas, *Summa contra gentiles,* Book I, cap. 6.

---

THE ENGLISH MARTYR RICHARD HERST

In the way to execution he carried in his hand a picture of *Christ* crucified, on which he had his eyes fixed; and frequently repeated to himself short ejaculatory prayers. When he came in sight of the gallows, he said, *Gallows, thou dost not affright me;* and coming to the place he kissed the post. . . . The Sheriff telling him he was to be the first man to die, he most earnestly and devoutly recommended himself to the merciful hands of God; begging the prayers and intercession of the Blessed Virgin, his angel guardian, and all the saints, especially St. *John Baptist,* it being the day of his decollation. And looking up at the executioner who was busy in fastening the rope, but knew not readily how to do it right, he merrily called him by his name, and said, *Tom I think I must come and help thee.* Such was his courage and serenity of mind upon the very brink of death.

—Bishop Challoner, *Memoirs of Missionary Priests* (London: Burns, Oates and Washbourne Ltd., 1924), p. 375.

# Book Notes

The Newman Book Shop has reprinted in the form of a pamphlet *Catholics On the Police Force*, by the Rev. Francis J. Connell, C.SS.R., S.T.D., which appeared as an article in *The American Ecclesiastical Review* for November, 1944. Such topics as the use of the "third degree," the taking of bribes and gifts, and the lawfulness of the "shoot to kill" method are discussed in the light of Catholic moral principles. The pamphlet will serve as a practical manual of conduct for Catholic—and, for that matter, for non-Catholic—members of the police force.

In *Reserved Cases—Pocket Outlines for Confessors* (Milwaukee: Bruce Publishing Company, 1945. Pp. 15), T. L. Bouscaren, S.J., has compiled and schematized all the *latae sententiae* censures established by the *Code of Canon Law* and the Third Baltimore Council and brought them together in a brief but handy pamphlet for the ready reference of confessors. Some study of the law itself is naturally supposed, but these charts and outlines will prove of great value in aiding busy confessors to keep those elusive censures and reservations clearly in their memories. Fr. Bouscaren includes a chart for solving concrete cases that ought to be of service in helping the confessor to answer the question: "Is this case within my jurisdiction?"

The past year, the centennial of John Henry Newman's entrance into the Catholic Church, witnessed a marked revival of interest, not only in the great Oxford convert, but also in the Venerable Dominic Barberi, the humble Passionist missionary who received him into the Church. *The Apostle of the Second Spring*, by Kenan Carey, C.P. (New York: The Paulist Press, 1945), presents, within the brief compass of a pamphlet, a glowing picture of Fr. Dominic's great love for England, his conviction that it was to be the scene of his labors, and his heroism in the face of vicious anti-Catholic bigotry when he finally reached the land of his desire. Few will disagree with the author when he maintains that, while any priest could, of course, have received Newman into the Church, "Dominic was precisely the one who should have had that happiness" (p. 36).

*Three Saints for the Incredulous*, by Robert E. Holland, S.J., is an unusual, somewhat deliberately naive little pamphlet, beautifully printed by the Fordham University Press. The "Three Saints" are St. Gregory Thaumaturgus, St. Paul the Hermit, and St. Scholastica. Fr. Holland makes his point very pleasantly: ". . . I have not told these stories for their own sake—charming as I think they are—nor yet in order to convince The Incredulous of the Credibility of the tales. I have told them as a point of departure, and for the sake of the Importance of whether one is Credulous or Incredulous as an *Attitude*. For both Incredulity and Credulity are a *Frame of Mind*" (p. 31). The illustrations by LeRoy H. Appleton are thoroughly delightful. The pamphlet is priced at sixty cents.

Many modern Scholastic authors of text-books introduce the student to philosophy by outlining the history of the principal doctrines of thinkers from about 700 B.C. to the present time, and then drawing conclusions regarding the scope and nature of philosophy. One may wonder whether the tyro will profit as much by such historical introductions as by beginning with the generic and confused notions of knowledge and of science he already possesses, and then bringing him to an awareness of the deeper questions the positive sciences do not touch. For the best take-off in a new science is what the student already knows; and further, it is not clear that the Scholastic definition of philosophy emerges as an expression of what most of those called philosophers have held to be its nature. However, those who prefer the historical method will find it well exemplified in the first part of *Introductio ad Philosophiam et Logica* (Mexico: Buena Prensa, 1945. Pp. 300) by Fr. J. Dávila, S.J. The history is splendidly digested,